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GENDER JUSTICE TODAY

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GENDER JUSTICE TODAY

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Editorial

GENDER JUSTICE TODAY

Justice is a catchword insofar as we are at the receiving end, forming part of the group to which justice is being denied or whose rights are being violated. The normal dynamics of the justice machinery imply that those who deny justice would also be capable of withholding its reinstatement indefinitely, as many a time those violators sit at the helm of power centres. A counteraction, therefore, is possible only when the violated individuals (sometimes, along with a few from among the group identified as the violators themselves, they being not actively involved in such violations), after having realized the extent of what is being denied to them, could involve in a concerted effort to pave the way for the realization of justice, but always at a cost. This is true of every sphere where justice is challenged or denied, especially in the case of gender-related issues of justice-denial.

Although it is clear that sexual difference does not entail an unequal treatment of any person, history abounds with cases of justice-denial to a large section of humanity because they were (and are being) born females on the face of this earth. It is surprising that a half of the whole human population, the women, were thoroughly and systematically denied the rights and benefits due to them. This was made possible by the theories, practices and traditions that were developed – almost always by men – to prove that women had no natural or acquired right to be their own mistresses; instead, by the manipulative moves that were mostly backed up by religious sanctions, the promulgation and enforcement of which were enacted and controlled by the men with vested interests, assumed the position of masters, relegating most of the womenfolk to a subservient and insignificant role in the society. Some theorists and religious traditions even went to the extreme by claiming that nature and the divine will have made the humanity into superior and inferior classes and, hence, this division is to be accepted unquestioned; strangely enough, these practices – some of them bizarre and cruel, and some others apparently just *normal* due to their continued practice over a long period of time – were even scrupulously made to be virtuous for its eternal perpetuation! The strange aspect of this situation is that, except a few known matriarchal cultures,

most of which are extinct today, men in general succeeded in perpetuating this unjust system of meting out injustice to women as a group not only for a few centuries but for millennia.

To a great extent, almost all religions are also culpable in this regard, especially in providing an additional powerful backup for the maintenance of the status quo that imprisons the creative spirit of the women in particular. Even though the genuine core of any religion never advocates degradation of anybody or meting out injustice to its members on any count, some of the religious practitioners and leaders – in almost all cases, men exclusively controlling the affairs of the religious group in question – took it upon themselves in manipulating the religious tenets in such a way that women were segregated against the rest of the male society, according the former only a degraded status in every sphere of life. Such manipulative strategies of some of these leaders have been wrongly accepted as foundational interpretative tools of those religions, which have resulted in furthering the injustice admitted, supported and propagated by apparently valid religious tenets.

It is this injustice that is being perpetuated even in the twenty-first century, of course, in more subtle forms than in the past, and it calls for corrective measures. The extent of the damage that is being caused is colossal, although the amount of responsibility in this regard on the part of the perpetrators seems to be too diminutive, which, in turn, results in worsening the situation of justice as far as the women of our society are concerned. As everybody's business turns out to be nobody's business, ultimately, it is very seldom anybody feels culpable for the subtle forms of gender injustice that are being practised in the family, society in general, and within religions or religious institutions, in particular. Humanity as a whole has to be enlightened, as a result of which individuals would be in a position to feel the responsibility for all their actions, whether unconsciously inherited or autonomously decided and carried out in their particular and commonly shared spheres of life. This enlightenment can come about only by the persistent attempts to educate the women as well as men, which, in turn, will enhance the human consciousness to the practical dimensions of practising gender justice. It is this thought that prompted *Journal of Dharma* to select the theme "Gender Justice Today" for the present issue. Although this theme was discussed at length in an earlier issue (*Journal of Dharma* 16, 2 [April-June 1991]), the slow

progress that has been made in this regard, and the subtle complications involved in the realization of gender justice in spite of the *technical* education that is being imparted in our present-day society make it all the more relevant to address it for a second time.

The present society has to drive home that sex difference is natural, while gender difference is an acquired one having its source in culture and traditions. It is a tainted practice inherited by humanity from the ancestors. Having segregated the whole womenfolk unjustly for quite a long time in human history, it is high time for all of us to *unlearn* the acquired or artificially perpetrated gender differences, which are extended to every sphere of life as a result of which women are treated unjustly and unequally. In order to remedy this situation, which has resulted from injustice, we have first to unlearn all of the gender-related theories and practices. This will pave the way for a re-learning and remaking of a new society that engenders equality for all its members irrespective of sex or gender difference. Indeed, women too have the primary responsibility to unlearn the gender-ascribed status and the related roles in family and in the larger society, and re-learn to mould their lives on an equal footing with every other member of the society.

Knowing the biological difference and their equal status in the society, women have to begin to reclaim their rightful place in the family as well as in the society. They have to demand equity and justice in sharing the social goods; in case of neglect in this regard, especially if it were wrongly founded upon any culturally ascribed gender-related role, women should initiate a concerted effort so that justice can be claimed and realised.

The men in the contemporary era, too, have a great responsibility to re-establish a gender-just society. Biological or sexual difference between man and woman does not entail a disparity in social relations, professional achievements and promotions, sharing of other social goods, etc. This can be brought about only by having a non-discriminatory attitude towards all, especially women, who have been segregated in our society in the past and in the present. Having had the privilege of the reigning (and exploiting) group, men today have a greater responsibility to initiate equality of men and women in concrete terms. This, to my mind, also involves adopting a preferential option to support and enhance the cause of women, as they were consistently and systematically segregated against men for quite a

long time in the history of the humankind. Indeed, reinstating justice demands reparation!

Moreover, in the context of rights violation based on gender differences, justice demands legislation to protect the rights of women, who are the equal partners within the social order. Enactment of civil laws is a necessity to make provisions for a fair deal for women. The preferential option for the causes of women and the much-needed enactment of civil laws – at regional, national and international levels – are the responsibility of the whole human race as women have been subjected to justice-violation for an incalculable period of time.

Education and emancipation go hand in hand. Although education has the potency to erroneously brainwash a person or a group of persons with wrong instruction and mould their lives accordingly, positively it has tremendous power to initiate change and transformation in the society as a whole. Although education can train personnel to initiate and maintain certain patterns of institutionalised living, it also has the potency to germinate and sustain a properly civilized society that stands for justice and equality. A civilization proper can come about only by the creative interaction of all its members, having an open attitude of supporting the growth and development of every individual member without any disparity based on natural or ascribed differences. In fact, in the context of the gender-based injustice in our society, what we need is the emergence of a new generation of women who are firm, assertive and confident, not only to be what they are but also to reclaim their lost or denied status in the society as well as in the families, social or religious groups and associations. It may require that these women take a stand that is ever stronger, firmer and tougher in order that they succeed in this struggle for justice, which is due to them as members of the human community. Such a situation can come about only by the creative involvement of women as well as men who are educated and enlightened: we need creative educators and an open system of education, which can provide the nurturing ambience for the enhancement of individual human persons.

In this present issue, therefore, we have eight articles that address the problems related to gender justice, as they are experienced in the present. While critically analysing the existing social situations and drawing our attention to the unjust practices prevalent in the society, every writer takes it upon himself or herself to creatively respond to this problematic

situation by proposing concrete remedies. The first entry, "Gender Justice in the Bible" by James Gurudas, after having recaptured the arguments of the feminists with regard to the misuse of the biblical texts in perpetuating and vitiating the plight of women in the society at large, and within the Church, in particular, involves in a penetrating analysis of the proper biblical foundations to provide and reinstate a gender-just society. Identifying the positive potential as well as the possibility of a misuse of the sacred texts in any religion he holds that "they can be liberating as well as enslaving, hope giving as well as frustrating; they can give rise to feminism as well as antifeminism at the same time." Yet, he is categorical in his assertion that "there are solid bases in the Bible itself for initiating a process of liberating women from the dehumanising clutches of the past, built with stones of ignorance and male egoism."

Taking cue from the social exploitation and the bad influence of the media in worsening the status of women, especially in the developing nations, Kiran Prasad analyses the situation of Indian women with reference to the contemporary mass media. In order to counter the ill treatment of women projected through the published and electronic media, the author calls for the empowerment of women through the concerted efforts on the part of everyone. According to her, "the media must ... regard its role as fundamental in supporting the progress of women and assist them in their march for a better social status and quality of life."

In "Gender Justice: A Utopian Ideal?" Pauline Chakkalakal addresses the problems related to the realization of gender justice for women in the Church, and in the society at large. Attributing the subordination and victimisation of women in the social and religious spheres to the ills of the age-old patriarchal system largely prevalent even in our present society and the Church, the author calls for "man-women partnership, mutuality, co-responsibility, inclusiveness and participatory decision-making." Apart from making a few valid recommendations for realising gender justice, in her conclusion, she forcefully argues for promoting "the acceptance of new research findings, the feminist method and the egalitarian model of Church." "As a community in the discipleship of Jesus," according to her, "the Church should further the partnership of women and men for the benefit of all God's people and creation."

Asghar Ali Engineer, an eminent Islamic scholar and activist, boldly argues for the emancipating of women by basing himself on a sound interpretation of the Islamic Scripture and traditions. He holds that "while scripture remains immutable with its transcendental spirit, theology must change by creatively facing new challenges and newly emerging situations," thus, making itself relevant to the faithful and the society at large. While asserting that the subjugation of women was "more cultural and patriarchal than Islamic or Qur'anic," he recommends that "the whole *corpus juris* of Islam relating to women needs to be seriously re-thought on the basis of Qur'an." Without watering down the normative character of the Qur'an in any way, Ali Engineer holds, a re-reading and re-interpretation of the Scripture and traditions in Islam makes room for equal rights for men and women in every respect.

Barbara Bagorski, in her analysis of the actual situation of the women in the German churches and society, brings into focus how "the church should be a model of the partnership between women and men." Her insightful analysis of the secular society, the inter-denominational dynamics among the women, etc., takes us to the conclusion that they are contributing towards the empowerment of women, although she cautions the readers that the proposed ideal remains still a vision the full realization of which is far from the present German society. She, therefore, proposes that women's voices are "to be heard more loudly and widely through its public relation work, through general meetings and through talks with church officials."

In another article, "Gender Justice in the Constitution of India," V. S. Elizabeth poses an incisive question: "Without enabling women to exist as citizens with political and economic power is it possible for them to safeguard the tradition and culture of this country?" Admiring the realistic and insightful safeguards inbuilt into the Constitution of India to protect the rights of the marginalized and the downtrodden, Elizabeth explores the constitutional provisions highlighting the perceptive various Sections and Articles that are formulated to uphold dignity and justice to the women citizens who form the half of Indian population. Her analysis leads us to a realistic picture of the Indian women, and the slow progress that India has made so far in this regard as a nation, especially in realizing the constitutional provisions to institute and enhance a gender-just society. However, she concludes with a call for committed action: "The fact that

we are still very far from achieving this objective is not due to the lack of vision for an equal society as much as due to the absence of political will due to the failure to change society and the values that are deeply entrenched and which cannot be altered without changes in the processes of socialization which include education, family and the media."

Jis J. Pettayil analyses the writings of Levinas, a phenomenological existentialist thinker, and drawing from his central thought in terms of "the Other" asserts the feminine in the individual existential thought and social relations. Following Levinas, the author asserts: "Women have to be affirmed as subjects in their own right... There are matters of exclusive concerns for both the sexes but a realistic suggestion would be to respect the differences and to develop a reverence for what they are."

In "Planning a Family in the Context of Gender Discrimination" Saju Chackalackal makes a clarion call "to pave the way for a conscious and concerted effort to evolve an action plan in view of creating a healthy society consisting of healthy individual persons." After involving in an analysis of the society, with special reference to the discriminatory practices against women, the author calls for reinstating equality and justice to everyone without distinction. He invites the readers to build up a gender-just society by forming healthy families, within which members are treated on an equal footing, as he believes that "family is the ideal place to nurture equality and sharing among male and female members..." This, according to him, is an imperative for all of us, as "a long-standing history of oppression resulting from discrimination on the gender lines meted out only to women ... calls for a preferential option to support their causes so that reparation shall be done to the past mistakes."

Thus, all contributors of this issue on "Gender Justice Today" analyse the present status of women in the society and call our attention to the disheartening and snail-paced progress that gender justice issues have made in the past. Invariably, each of the articles considers the arrival of a gender-just society the need of the hour, which also includes involving in creative and concrete action programmes. Indeed, it is commonly accepted that the culturally and socially acquired gender difference does not in any way entail an unequal treatment in social responsibilities and privileges, as it would continue to be diametrically opposed to the dynamics of justice.

Each human being is not only born human, but has *to become* human by the creative commitment in developing and enhancing one's own personality in relation to others; a human being is not born into isolation, but into a community of persons. The communion that is at the foundation of any community demands that each member exists for the other, that each one is available to the other, that each one is capable of enhancing the life of the other. This positive approach does not involve segregation and exploitation of the other, as it has happened in the long history of mankind; instead, it involves only a creative self-gift of oneself to the other. Reinstating gender justice requires that we consciously cultivate a healthy vision of the society within which every existence becomes a co-existence; every instance of co-existence turns out to be an invitation to a pro-existence: human existence is an existence in communion, and existence in a community becomes creative only when each one exists for the other. It is this readiness to be available to the other that we badly need to redeem humanity from the clutches of the unjust practices that have been prevalent in our society in the name of gender difference.

Difference, plurality or multiplicity is neither a problem, nor a curse on humanity; instead within the nature, especially among human beings, it is a unique blessing with which the richness of the entire creation can be grasped and lived out. Let the sexual difference and the culturally and socially designed gender difference we have among human persons be a prospective matrix to respond to the opportunities offered to us and, thus, *to become human* in the complete sense. Human persons bloom in the context of a human community within which both women and men are equal partners and creative contributors in building up justice-sensitive personalities, families, and the society at large.

Saju Chackalackal
Chief Editor, JD

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GENDER JUSTICE IN THE BIBLE

James Gurudas[♦]

1. Introduction

The very discussion on gender justice in the Bible presupposes suspicion and accusation of injustice to women, caused or perpetuated by the Scripture. Christianity, like any other organized religion, considers its sacred Scripture as its normative basis. Scriptural fundamentalism, which sticks to literal understanding and interpretation of its words, has certainly been detrimental to the cause of women throughout the history of the Church.

However, the other side of this fact is that the biblical passages are often ambivalent. They can be constructively or destructively translated and interpreted; they can be liberating as well as enslaving, hope giving as well as frustrating; they can give rise to feminism as well as antifeminism at the same time. Unfortunately, the passages dealing with women have been translated and interpreted in such a way that they have become unjust judges in the court for women. The scope of this article, therefore, is to ascertain how unjust the Bible has been to women, and whether it can be a source of inspiration for feminist liberation movement.

While discussing the issues of gender-related justice and injustice, we have to keep in mind the relativity of justice and injustice. What the modern human finds unjust may not have been unjust in ancient communities. It may be unfair to measure Jewish-tribal jurisprudence and early-Christian socio-religious customs with the standards of present-day human awareness. However, undeniable is the fact that the claws of Jewish and early Christian biblical hawks are still held deep-driven in the neck of a helpless Christian. In other words, the poison of biblical vipers is still

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there in the bloodstream of Christianity; hence, the relevance of our discussion on gender justice in the Scripture.

2. The Fact of Bible-based Injustice

No honest Christian would deny the reality of injustice being done to women in the name of faithfulness to the Bible. For validation and justification of all its teachings and actions, whether justifiable or unjustifiable, logical or illogical, the Church has always looked into the Bible, and sought out "*dicta probantia*," proving pronouncements. Not only dogmas and moral theology, but also the whole ecclesiastical structure, are declared to be based on the Scripture. Consequently, husbands, pastors, preachers and teachers along with timid and conservative women have made use of the Bible as *weapon* against women.[1]

a. Current Forms of Injustice

Prohibition of divorce even to women enslaved and tortured by husbands who are incorrigible is a clear form of injustice to women, maintained in the name of loyalty to the Bible. Another form is denial of ordination to women. Weak representation of women in legislative and administrative bodies like synods and pastoral and parish councils is believed to be ultimately supported by biblical stand. The ruling of priests in many eastern churches that women should cover their head in the church is also considered to be a command of the Bible. Husbands who demand servile obedience from their wives also refer to the Bible as the basis of their rights and authority.

b. Injustice Bolstered by Church Fathers, Doctors and Exegetes

The unjust dealing to women by all male groups in the Church is caused by the traditional interpretation of biblical texts, which was nothing more than pronouncements based on their literal understanding. Until the encyclical *divino affante sipritu* of Pope Pius XII came out in 1943, no historical critical study of the Bible was permitted. Therefore, the Fathers, Doctors and Bible scholars never thought of the particular socio-cultural context in which the biblical pronouncements took their origin.

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[1]Marga Buehring, *Die Unsichtbare Frau und der Gott der Vaeter: Eine Einfuehrung in die Feministische Theologie*, Stuettgart: Kreuz Verlag, 1987, 34.

These interpreters who were all male, made use of the Bible to assert male superiority and to highlight female inferiority. "History of biblical interpretation is the history of biblical interpreters."[2] This is true, in as much as the above-mentioned interpreters became the real instrument of women's subjugation to man in the two thousand years' history of the Church.[3]

Tertullian, in the course of his fight against Montanism and basing his arguments on the Bible, has made derogatory and disparaging statements against women: "You are the devil's gateway; you are the unsealer of that tree; you are the first forsaker of the divine law; you are the one who persuaded him, whom the devil was not brave enough to approach; you so lightly crushed the image of God, the man Adam; because of your punishment, i.e., the death, even the Son of God has to die."[4]

Augustine also accuses women of having caused the fall of humankind as narrated by Genesis (chapter 3), and considers women valuable only as a means for procreation.

> Although in his historical context, he perceived himself to be defending the goodness of sex and marriage against dualist heresies, he was deeply suspicious of sexual passion, was incapable of seeing men and women as equals in sexuality or anything else, and found the only sure justification of sex in procreation.[5]

Even Thomas Aquinas holds the view that woman is subordinate to man and her role is that of an assistant in procreation. He, too, bases his arguments on Gen 3.[6]

Following suit, Martin Luther argues for women's subjugation to men on the footing of Gen 3 and 1Tim 2:11-15.[7] Almost all the Bible

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[2]Herlinde Pissarek Hudelist, "Gerade wir duerfen nicht schweigen," in Karin Walter, ed., *Frauaen entdecken die Bibel*, Freiburg: Herder, 1987, 164.

[3]See Pauline Chakkalackal, *Discipleship – Space for Women's Leadership: A Feminist Theological Critique*, Mumbai: Pauline Publications, 2004, 60-72.

[4]Tertullian, *De cultu feminarum*, C.197-200, CSEL 70.59, cited in Chackalakal, *Discipleship*, 62.

[5]Lisa Sowle Cahil, *Woman and Sexuality*, New York: Paulist Press, 1992, 7.

[6]See Chakkalakal, *Discipleship*, 68-69.

[7]Buehring, *Die Unsichtbare Frau und der Gott der Vaeter*, 92-93.

scholars who were unaware of the need of historical-critical approach have branded Eve as the first sinner and seducer of man. The dangerous belief that woman by nature is a seducer motivated even the witch-burners in the Middle Ages to get rid of many fair women.

c. Charges Levelled by the Feminists: Androcentrism, Patriarchy, Masculinization

Feminists, who are "women committed to the struggle for the liberation of women,"[8] argue that the Bible interpreters and through them the Church authorities have either engendered or kept up several sorts of wrong to women, which could be summarized as androcentrism, patriarchalization and masculinization of God.

Androcentric – male-centred – translation and interpretation imply prejudice towards women and favoritism towards men in finding out, explaining or highlighting the meaning of biblical passages or words. For example, the personal name Junias (Rom 16:7), which is a well-known female name, and to whom Paul refers to as "*apostolos*" (apostle), has been considered and rendered as Junia – female – even in several modern Bible translations. The presupposition behind it is that a female could not have been an apostle. According to Rom 16:1, Poebe is a "*diakonos*" of the church of Cenchreae. It is translated as "helper" or "servant," whereas the same word is translated "deacon" when it stands with Appollos, Timotheus, Tychicus, etc.[9] So also, Paul's encounter with Jesus in the vision is given far more importance than Mary Magdalene's meeting with the risen Lord.[10]

Another form of Bible-based injustice according to the feminists is the patriarchal social order. Patriarchy (*pater* + *arche* = rule of the father) is a violation of gender-equality. "Women today are attempting to

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[8]Elisabeth Schuessler Fiorenza, *In Memory of Her: A Feminist Theological Reconstruction of Christian Origins*, London: SCM, 1993, 3.

[9]See Monica Fander, "'*Und ihnen kamen diese Worte vor wie leeres Geschwaetz, und sie glaubten ihnen nicht*' (Lk 24:11): *Feministische Bibellektuere des Neuen Testaments – Eine Reflexion*," in *Handbuch Feministishce Theologie*, eds., Christine Schaumberger, Monika Maassen, Muenster: Frauenbuchverlag, 1986, 299.

[10]See Marianne Dirks, "*Gesandt zum Zeugnis*," in Karin Walter, ed., *Frauen Entdecken die Bibel*, Freiburg: Herder, 1987, 158.

exorcise the demon of patriarchalism."[11] As example of biblical patriarchalization the genealogies are put forth: only four unimportant women, and that too from outside Judea – Tamar, Rahab, Ruth and the wife of Uria – are incorporated; this may be explained as universalism, or inclusion of all people in the economy of salvation, although it is more an evidence of patriarchy than of universalism.[12] Even that quantum of male-female equality sanctioned by Paul was revoked by his disciples through the 'household-code' (Eph 5:22-33; Col 3:18-19).

Masculinization of God, projecting God exclusively as a male, is another evil that has its roots in the Bible. Yahweh is male; God is Father in the New Testament; he is the male Almighty; he is the Lord of Lords, King of kings, Ruler, etc.; 'Spirit', which was female in Hebrew (i.e., *Ruah*) and neuter in Greek (i.e., *pneuma*), became masculine (i.e., *spiritus*) in the hands of the translators! "The over-whelming majority of male Jewish and Christian theologians and Church leaders have made arrogant sexist decisions and judgements at the expense of women. They did this in the name of that unique and exclusive God who, despite lip service to his otherness, was viewed as a male."[13] Suffocated by the comprehensive masculinization of God, the feminists ask: "... is it still appropriate to hold up only this one image of God in the creed?"[14] Masculinization, patriarchy and *kyriarchy* or rule of the lord, go together.

It is to be noted that there are theologians who are of the view that God's image in the Bible is not totally male. They point to passages like Is 49:15, where God is "a nursing mother that can never forget her suckling."[15] However, such exceptions do not weaken the arguments of feminists and their supporters.

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[11]Sheila D. Collins, *A Different Heaven and Earth*, PA: Judson Press, 49.

[12]See Kyung-mi Park, "Genealogy and Woman," in *Reading the Bible*, Seoul: AWRC, 1992, 154-155.

[13]Erhard S. Gertenberger, *Yahweh the Patriarch: Ancient Images of God and Feminist Theology*, Minneapolis: Fortress Press, 1996, 82.

[14]Elizabeth Rankin Geitz, *Gender and the Nicene Creed*, PA: Morehouse, 1995, 93.

[15]See Denise Lardner Carmody, *Responses to 101 Questions among Feminism*, London: Geoffry Chapman, 1994, 45.

3. Mothers of Injustice: Passages Breeding Discrimination to Women

After mentioning the accusations of women against androcentrism, we now catalogue the important verses or pericopes which have fostered injustice to women, which could be called 'mothers' of injustice. At the very outset the method followed in our analysis and commentary has to be specified.

a. Validity and Suitability of a 'Phenomenological' Approach

In our observations about the biblical texts that have been causing subjugation, humiliation and discrimination of women we prefer a phenomenological method to historical-critical and linguistic-analytical methods. What is meant here is: we take those passages as they have been perceived or apprehended by the readers who have not asked themselves, in what particular situation a particular advice or injunction to women was given or a remark on their behaviour was made, and have not felt obliged to find out if the author really meant discrimination or subjugation of women. For these readers it did not matter whether their understanding of a verse or passage corresponded to its inner sense. One could say: literal sense was the only sense they sensed, with the exception of allegorical sense attached to them by the Fathers of the Church like Augustine.

Such a method is, in fact, imperative because it is not historical critical analysis or literary, form, redaction, and semiotic criticisms that have turned deleterious to the womenfolk as a whole, but the naïve exegesis of literal-minded pastors, preachers, male chauvinists, and despotic, domineering and disciplinarian husbands. In other words, what has turned disastrous to women is the blind loyalty to the Bible considered as revealed and inspired by God.

The naïve have always outnumbered and overpowered the clever, the imprudent over the prudent, the dull over the discerning. This is applicable to the present Church too: critical understanding of biblical statements remains subdued by literal understanding by the mass; scholarly approach is eclipsed by 'pastoral' approach. The latter, however, is very often a way of domination and exploitation. Therefore, it is easy to confront the so-called pastoral-practical approach with the same method. That is why in the following section passages perpetuating injustice against women are almost phenomenologically analysed. Only axiomatic verses or pericopes used against women are considered here.

b. Old Testament Passages

If superiority of man to woman has been taken for granted as a fundamental theological principle, it has its roots in the second creation narrative (Gen 2:7-8, 18-25), which we could call a notorious mother of gender-based injustice. It is true that the man calls woman "bone of my bones and flesh of my flesh" (v. 23) and his attraction and attachment to her is so powerful and invincible, that he leaves his father and mother and clings to her (v. 24). Still she is inferior to him by way of origination, nomination and instrumentalization. i). Origination: God takes one of man's ribs and shapes it to a woman (v. 24). Thus, she is extracted or derived from him and has her direct origin from him. ii). Nomination: Man calls her *ishshah*, woman. Undoubtedly, *ishshah* is not a personal name. Before conferring the personal name "*howahl*" (Gen 3:20), he calls her *ishshah*. However, against the background of the statement "whatever the man called every living creature, that was its name" (v. 19), this calling means naming, and it is more than specification, particularization or categorization. Naming is a way of conquering, subduing or subordinating. iii). Instrumentalization: God makes woman a means for remedying man's loneliness; his main consideration is reflected in the following verse: "It is not good that the man should be alone" (18). Moreover, woman is made a "helper" of man even though she is also "a partner" (v. 18).

The overall impression the Yahwist narrative makes on the readers is certainly disadvantageous to women. Fortunately, the creation narrative by the 'Priestly' tradition mitigates its results to a certain extent, which will be dealt with later.

Another Old Testament 'mother' that has brought forth and nurtured injustice to women is the injunction regarding ritual purity of women." "If a woman conceives and bears a male child, her "time of blood purification shall be thirty three days; if she bears a female child ... her time of blood purification shall be sixty six days" (Lev 12:2-5). Then, conception and delivery are by these standards mean! Moreover, giving birth to a female child is doubly mean!! Just imagine the impact of such ignorance-, taboo-, and superstition-based religious rulings on the psyche of believers. It is such biased and discriminatory laws that have motivated Jewish Rabbis like Judah Ben Ilay to praise and thank God for not having given them a female birth!

The story of the first sin and its punishment (Gen 3:1-22) also has begotten injustice to women. Woman is depicted as seducer of man (6:12), and delivery pain and desire for husband as curses to women by God; God gives man domination over woman as a punishment: "he shall rule over you" (v. 16). Historical critical exegetes would say that the story of the fall of man is rabbinic symbolic aetiological explanation of the downfall of Israelite kingdom after the death of Solomon, its division into two, and the following miseries and catastrophes which the Jews experienced in the course of history. Accordingly, Solomon's deviation from Yahwist monotheism is the ultimate reason for the collapse of the Davidic kingdom. He had 700 wives and 300 concubines (1Kg 11:3), many of whom were pagans who worshipped their own gods; his first wife, namely the queen, was Pharaoh's daughter who continued her snake-worship in Solomon's palace; since he ruled according to the counsel of snake-worshipping pagan wife, God punished them and the whole people; the most cursed are Solomon's pagan wife and the snake who cheated her directly and Solomon through her.

Unfortunately, there are only very few pastors, preachers, Church authorities and authoritarian husbands who are enlightened and guided by modern biblical scholarship. For these unenlightened groups, Eve is every woman, and not Solomon's snake-worshipping wife; so they will continue to "rule over" women!

For want of scope in this article I shall now just mention some points that are discriminatory to women, and the corresponding passages: Marriage is a kind of purchase; the girl is bought with dowry (Dt 22:28) or with equivalent services (Gen 29:14-30; 1Sam 18:25); she becomes property of the husband through this contract (Job 7:13). Also the listing of wife under the goods that should not be stolen creates the impression that she is a property of the husband, like cow or sheep (Dt 5:17-21). Legal requirements concerning premarital purity are discriminatory to women (Dt 22:13-21). Childlessness is a punishment of God on women (Jer 18:21). To summarize, there are several passages in the Old Testament, which have been utilized to make women inferior and subordinate to man.

c. New Testament Passages

The main passages within the New Testament that maintain injustice

against women could be categorized into three groups: Pauline, Deutero-Pauline, and Petrine.

i). Pauline Passages

While discussing Paul's remarks on and advices to women, we should keep in mind that his statements are often ambivalent or unclear because of our distance from their socio-cultural milieu. What is certain is that they have been used to degrade and subjugate women.

Two pericopes to be taken seriously are, 1Cor 11:3-16 and 14:34-36. As regards the first one, what has turned out to be disastrous to women is not Paul's strict injunction to women to cover their heads during prayer and prophesying, but the theology with which he elucidates and corroborates his arguments, and its catastrophic misunderstanding by the readers of later generations. First of all, he presupposes derivation of woman from man according to Gen 2:8-25, pertinently verse 8. Even though biologically man proceeds from woman (v. 12) theologically it is the other way around. In this context, "*kephale*" in verse 3 could be translated as "source" rather than "head," because it is used in Greek to designate also the source of a river. That means, theologically man is the source of woman, just as Christ is the source of man and God the source of Christ. With his "theology of derivation" Paul is unconsciously fabricating a "theology of humiliation" for women! Besides, he cements this theology with "theology of utility." Thus, "man was not created for the sake of woman, but woman for the sake of man" (v. 9)!

In fact, what Paul demands from women is a little modesty, which is understandable both against the background of the socio-cultural circumstances in Corinth which was notorious as a city of prostitutes, and according to the custom prevailing in other churches. Undoubtedly, he never foresaw the adverse effects of his "veil-, derivation-, and utility theology," though the sad truth is that they have been quite devastating, and plague the Church even to this day.

The second Pauline periscope (1Cor 14:34-36) concerns women's obligation to keep silence in church assemblies. Since these verses are found in all important manuscripts, there is very little doubt that they are

genuinely Pauline, though there are authors who hold the opposite view.[16] Many clerics and disciplinarian husbands have used this passage as a "silencing machine" against women, and there are still many clever operators of *silencing* among Church officials and laymen. If we consider Paul's amazing appreciation of his women associates (Rom 16:1-4) and his admirable theology of equality between men and women (Gal 3:28) it will be unjust to judge him as a women-hater on the basis of these verses. They are to be reviewed in the context of the whole chapter 14, where the point discussed is order and discipline to be kept by those who are endowed with charismata like *glossolalia* – speaking in tongues – and prophecy. It seems that there were women who were too impulsive in their queries about revelations made by the prophets and lessons given by the teachers. Paul's injunctions to prophets and *glossolalians* are polite and conditional (vv. 27-28), whereas those to women too blunt and unconditional (vv. 34-35). However, when we keep in view that in almost all manuscripts verses 34-35 are found after v. 40, it becomes almost clear that Paul's commands and prohibitions to the prophets are stricter than to women, because it is to the former he says: "what I am writing to you is command of the Lord" (v. 37).

Whatever be Paul's intentions and however guiltless he may be, his pronouncements such as "women should be silent in the church," "they are not permitted to speak, but should be subordinate, as the law also says," "it is shameful for a woman to speak in the church," etc., have made many women subjects, subaltern, slave-like and silent listeners to domineering males in the Church.

ii). Deutero-Pauline and Petrine Passages

In these categories the main texts that have been disastrous to women are Eph 5:22-27, Col 3:18-19, 1Tim 2:8-15 and 1Pet 3:17. They are often known as "subordination passages,"[17] because they openly enjoin women to be obedient and subservient to their husbands.

Eph 5:22-27 is an essential part of the household code (5:22-6:9) or code of conduct which is common to the Letters to the Ephesians and to the Colossians. What is most offensive and humiliating to women is verse

[16]For a list of scholars who doubt the authenticity of these verses, see Chakkalakal, *Discipleship*, 89, note 168.

[17]Fiorenza, *In Memory of Her*, 14.

22: "Wives, be subject to your husbands as you are to the Lord." It has been instrumental in subjugating women by men, even though in the overall context it is not so. The author advises all to "be subject to one another out of reverence for Christ" (v. 22). When he specifies the different pertinent groups, however, he makes an unjustifiable distinction: Wives should be subject to husbands, whereas husbands are expected only to love their wives ardently! There is evident discrimination in this distinction. Besides, wives owe respect to their husbands and these are not expected to reciprocate (v. 32).

Col 3:18-19 demands the same attitudinal difference from wives to husbands: she must be subject to him, whereas he must love her. 1Tim 2:8-15 surpasses all other passages in strictness and rudeness towards women. In addition to insisting on modesty and decency, it obliges woman to "learn in silence with full submission" (vv. 11, 12); it categorically forbids her "to teach or to have authority over a man" (v. 12). Prohibition of exercising authority over man seems to presuppose that the church presided over by Timothy had the problem of some women trying to dominate their husbands; the emphatic pronouncement "I permit no woman" justifies such a conclusion. However, the change of milieu does not seem to have touched the mindset of males in the Church.

Presupposing the authority of the second creation account, the author asserts chronological and theological priority of man to woman, her naivety and stupidity and her despicable and contemptible status as the first sinner in human history: "Adam was formed first, then Eve; and Adam was not deceived, but the woman was deceived and became a transgressor." The ability to mother children is the only blessing given to her under the condition that she leads a holy life.

Tit 2:5 is also a "subjugation passage." Here older women are exhorted to encourage young women to be "submissive to their husbands." 1Pet 3:7 presupposes man's natural superiority to woman and labels her as *weaker sex*. Whether the weakness is physical or mental is not specified; but the advice to the husbands to show special consideration to wives because of their natural debility is sheer humiliation to women as a whole.

The overall impact of such woman-degrading theology on believers is imaginable. The Fathers of the Church were the main carriers of the anti-feminine viruses from biblical passages like 1Tim 2:8-15.

4. Biblical Basis for Restoring Justice to Women

In the last section we have analysed the issue of gender justice from the viewpoint of the plaintiffs and put forth the arguments of the feminists and their supporters against the Bible. Now we put forward the arguments of the defendants who may be anti-feminists or those who are balanced in their criticism of the Bible. Ours is an attempt to show that, to a great extent, Bible itself can be used in the fight for justice to women. In this approach, again, we take the biblical passages as they have been read and understood by Christians in general, because it is their 'phenomenological' approach to the Bible that has motivated them to use biblical statements as torture tools against women.

a. Declarations of Equality

There are several passages in the Bible which proclaim equality between men and women. An important one is Gen 1:26-27, which is the creation narrative by the 'Priestly' tradition. According to this, God created humankind as male and female who are equal in all respects, with regard to their origin from and resemblance to God and to their dominion over the subhuman creatures.

Another text, perhaps the most important from the New Testament, which declares equality between male and female is Gal 3:27-28. It asserts unequivocally that Christians' solidarity with Christ which results from baptism is the basis for a comprehensive equality; racial, social, gender, and other differences are abolished through baptismal inclusion into Christ; therefore, the disciples of Christ have no valid identities other than the Christian; they are not only one in Christ; they loose even their external identification marks stamped on them, because they "have clothed themselves with Christ." This theological foundation is strong enough to nullify all traditions that are discriminatory to women. Besides these two most important proclamations of gender-equality, there are some that are worth mentioning: Sir 3:1-16 obliges children to show equal respect to father and mother. Some verses praise clever, benevolent and pious women (Prov 31:10-31; 11:16; 12:4). There are others which extol sensible and prudent women as gifts of God (Prov 19:14; 18:22). Men and women are equal in their covenant relationship to Yahweh (Dt 20:10-12). Song of Songs as a whole is not only glorification of love between man and woman but also of women in general. Justice meted out

to Susanna by Daniel against the two elders (Dan 13) can be very well held up as an example of equality of men and women before the law.

b. Jesuan Justice: A Paradigm Shift

A close look into the Gospels will reveal the paradigm shift carried out by Jesus with regard to justice towards women. Even the feminists joyfully agree that it is not Jesus who oppresses the woman but the church authorities and domineering men. Jewish Rabbis' contempt for women is infamous. The Gospels themselves testify to the worthlessness of women in the Jewish society at the time of Jesus. For example, in the bread-multiplication narratives only the men who ate are counted: "those who ate were about five thousand men, besides women and children" (Mt 14:21; Mk 6:44). In such a society, where the women are not even worthy of being counted, Jesus fights for justice to women and that too with a love-and-tenderness-filled heart. He castigates the scribes "who devour widows' houses" (Mk 12:40), scolds those who criticize the woman who, according to them, wastes the perfumed ointment by pouring it on Jesus' head: "Let her alone; why do you trouble her? She has performed a good service for me" (Mk 14:6). To ensure social security of women who used to be divorced by their selfish and despotic husbands even for trivial reasons, he forbids divorce categorically and declares it indissoluble (Mk 10:11; Mt 19:3-9). Out of respect and compassion to women he allows them to touch him (Lk 7:38; Mk: 5:28), which was quite scandalous and provocative to all, because no decent Rabbi would do it at that time. In order to heal women he lays hands on them (Lk 13:13; Mk 5:41), which too was considered outrageous in Jewish society.

Jesus also pardons the woman caught in adultery allegedly by discarding even Moses' Law (Jn 8:3-11). He speaks to a woman in secret against the custom of his time; it was shocking even to his disciples (Jn 4:7-27).[18] He values friendship and hospitality of women like Mary and Martha (Lk 10:38-42; Jn 12:1-3). As example of ideal generosity and spirit of sacrifice he extols a poor widow (Mk 12:41-44). In his healing

[18]The author is aware of the historical critical view, that the story of Jesus and the Samaritan women is most probably a narrative of the history of evangelisation in Samaria by the Johannine Community through an unknown Samaritan woman. However, I think that, contrary to those who use Bible against women, our 'phenomenological' approach is more effective.

ministry and raising the dead to life women are given special consideration (the cripple woman, Syro-phoenician woman, the woman with hemorrhages, Peter's mother-in-law, daughter of Jairus, son of a widow at Nain). It is noteworthy how sincerely he admires the faith of a simple woman (Mt 15:27). By using women's life context in his parables Jesus shows his appreciation of their social situation: woman and the yeast she mixed with floor (Mt 13:20), woman and her lost coin (Lk 15:8-10), the widow's persistence (Lk 18:1-5), etc. He never speaks low of women. The only one apparent exception to this is his reference to the Canaanite woman as a dog. However, in fact, Jesus is ironically referring to the ridiculous belief of his own people that they are the only chosen people of God and that the Gentiles are all outcastes (who were treated as if dogs), and had no real faith. It is the absence of exclamation mark as a sign of irony at the end of the Greek verse "It is not fair to take children's bread and throw it to the dogs," that causes the whole misunderstanding against Jesus. His final words to the woman "O, woman great is your faith" shows that his ultimate intention was to praise the woman for her extraordinary faith.

A challenging act of Jesus that deserves special mention is taking women into his company along with the twelve male disciples in his mission as an itinerant preacher. Though not officially qualified, he was a Rabbi, and a Jewish Rabbi with women around him would have been a shocking experience to the Jews. Luke's verses are worth quoting: "... he went on through cities and villages, proclaiming and bringing the good news of the kingdom of God. The twelve were with him, as well as some women who had been cured of evil spirits and infirmities: Mary, called Magdalene, from whom seven demons had gone out, and Joanna the wife of Herod's steward Chuza, and Susanna, and many others, who provided for them out of their resources" (Lk 8:1-3). It is to be specially noted that the women personally named there are those who had been cured by Jesus of psychosomatic diseases like hysteria and epilepsy. Mary Magdalene might have had the severest hysteria, because "seven demons had gone out" of her! That Jesus – a Jewish man – was not ashamed of being dependent on women's material support was uncommon. The Greek word used in the text to denote the service done to Jesus by the women is *diakonein* which means "to serve," "to minister," etc. In whatever way we translate it the important role women played in the ministry of Jesus

cannot be overlooked.[19] The courageous presence of women at the time of his passion testifies to the intensity of their faithful discipleship to him (Mk 15:40; Mt 27:55). Their unwavering loyalty must have been a response to Jesus' love, concern and respect to them.

In short, Jesus words and actions in favour of women provide a solid basis for re-establishing justice to the women folk as a whole.[20]

c. Liberative Models and Traditions

Both in the Old and in the New Testaments there are model women who are capable of inspiring other women to fight for the justice due to them, and practices that can be upheld against the anti-women traditionalists.

i). Old Testament Models and Traditions

At a time when daughters had no inheritance right, the five daughters of Zelophehad courageously demand it from Moses, Eleazar, the leaders and the whole congregation, and gain it for themselves and for the posterity (Num 26:1-11). Miriam, Aaron's sister and prophetess is an example of boldness and courage, capable of giving leadership to the people (Ex 15:20-21). That she on another occasion criticized Moses for marrying a Cushite woman and was punished by God for that audacity does not diminish her importance. The argument she and Aaron put forward is important: "Has the Lord spoken only through Moses? Has he not spoken through us also" (Num 12:2; see also 1-15)! Another woman who could instill bravery into women in their liberation struggle against male chauvinists is Deborah, prophetess and judge of Israel, who defended her country from Jabin, king of Canaa (Judg 4:1-15). The respect that Huldah the prophetess commanded from priests and kings of her people is conducive to inspiring women for prophetical leadership (2Kg 22:14-20). The practice of the Israelites to respect prophetesses as highly as prophets can be highlighted against men who doubt women's ability to give prophetical leadership within our present society.

ii). New Testament Models and Traditions

There were several women in the early Church whose leadership would certainly enhance the self-respect of all Christian women and inspire them

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[19]See Buehring, *Die Unsichtbare Frau und der Gott der Vaeter*, 48.

[20]It is beyond the scope of this article to initiate an inner-synoptic and inter-gospel comparison of passages concerning women.

to take initiative in promoting justice and equality in the Church. Those women are not passive types but able leaders whom even the male Church leaders respected.

Poebe (Rom 16:1-2) whom Paul qualifies as "*diakonos*" and "*prostates*" must have been a prominent church leader in Chencreae. It is not quite clear, whether "*diakonos*" here means deaconess in the present-day sense, even though "*diakonos*" in Greek can be masculine or feminine. "*Prostatis*," however, shows her high position within the church community. It can mean patroness, sponsor, protector, guardian, minister, benefactress, etc. The important point, however, is that this title in Hellenistic religious associations denoted president, representative, leader, etc.[21]

Prisca/Priscilla is another woman who is able to inspire women to assume leadership roles in the Church. She, together with her husband Aquila, was leader of a house church in Ephesus (1Cor 16:19). It is certainly significant, that Paul places her name first, whenever he greets this couple (Rom 16:3; 2Tim 4: 19; 1Cor 16:9). Evidently she was exceptionally powerful and influential in her church. She was able and brave enough to correct Apollos' interpretation of Christian doctrines even though he was an "eloquent man well-versed in the scriptures," and "instructed in the Way of the Lord," and "spoke with burning enthusiasm and taught accurately the things concerning Jesus" (Acts 28:24-25). It cannot be a mere chance, that her name is mentioned six times in the Bible (Acts 18:2, 26; Rom 13:3; 1Cor 16:19; 2Tim 4:19). One can logically conclude that she and her husband were leaders of a house church, and in this sense, bishops. Priscilla and Aquila are also considered to be the authors of the Letter to the Hebrews.[22]

Nympha of Laodicea is yet another leading woman, who can animate all women. The author of Letter to the Colossians sends greetings "to Nympha and the Church in her house" (Col 4:15); it indicates that she too was leader of a house church, which was same as a local church at that time.

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[21]Fander, "*Und ihnen kamen diese Worte vor wie leeres Geschwaetz, und sie glaubten ihnen nicht*," 299-300.

[22]Fander, "*Und ihnen kamen diese Worte vor wie leeres Geschwaetz, und sie glaubten ihnen nicht*," 300.

Lydia of Thyatira, who was a dealer of purple cloths, together with her whole household received Baptism (Acts 16:14-15), and was in all probability leader of a local ecclesial community: Paul and Silas visit her home and encourage the Christians there (Acts 16:40), which indicates that her home too was a local church.

About another woman, namely Junia (Greek: Younias) – who was wrongly considered a male, and whose name has been translated accordingly – and her husband Andronicus, Paul says: "they are prominent among the apostles, and they were in Christ before I was" (Rom 16:7). That Paul calls Junia an apostle is an important testimony to her high status. There is no reason to assume that he uses the word apostle here symbolically. Exactly as he recognizes the twelve and himself as apostles, he recognizes Andronicus and Junia too, and condemns the "boasters" as "false apostles, deceitful workers, disguising themselves as apostles of Christ" (2Cor 11:13). It is worth researching into, why only the twelve, Paul, Andronicus and Junia are called apostles in the whole New Testament. Moreover, Paul's acknowledgement "they were in Christ before I was" cannot be honestly disregarded as insignificant. The case of Junia justifies the accusation of androcentrism against Bible scholars and the church hierarchy.

Mother of John/Mark is another woman whose house functioned as a church. After escaping miraculously from prison Peter goes to her home, "where many had gathered and were praying" (Acts 12:12). Here she is more important than John/Mark. Was her priority merely by way of her legal ownership of the house!

The four unmarried daughters of deacon Philip at Caesarea, "who had the gift of prophecy" (Acts 21:9) also can be models for Christian women.

Against the biblical male fundamentalist who wield power against women by means of the Bible, Mary, mother of Jesus can be upheld, not as a docile, obedient and submissive handmaid of God but as a courageous woman whom all generations call blessed (Lk 1:48) and who prophesy about the dethronement of the powerful and enthronement of the weak (v. 52).

Apart from highlighting the above mentioned women leaders to inspire a sense of dignity among women, a few facts could be emphasized

to counteract androcentriam and masculinization of God. One such fact is the femininity of God's Spirit. The Spirit in the Bible is "a female, life-giving, empowering and educational disclosure of God's self;" this spirit cannot be manipulated; it comes and goes as it wills; it "is unpredictable, autonomous and powerful, as wind seemed to be to the ancient world."[23]

Femininess of God's Wisdom also is another biblical fact in favour of women.

> Israel is the chosen people, among whom God is present in the female personification of Divine Wisdom. Woman Wisdom is leader on the way, preacher in Israel, architect of the world. She is called sister, spouse, mother, beloved and teacher... She offers life, knowledge, rest and salvation to all who will accept her.[24]

Since knowledge and power, the most important dimensions of divinity, are feminine, women can legitimately consider God, the mother and address accordingly. This too is a basis for restoring justice to women.

5. Urgency of Liberative Hermeneutics

The best way to re-establish justice to women is neither substitution of patriarchy with matriarchy nor masculinization of God with feminization. A just and effective means would be a balanced feminist hermeneutics of the Bible. That means "reconstruction of women's history in biblical times."[25] What is needed is "a hermeneutics of suspicion to unveil the underlying effects of patriarchy and account for the androcentrism in many biblical texts."[26] Since it is meant for women's liberation from man-made shackles, it starts with the assumption of Bible-based evils done or supposedly done to women by males, like exploitation, oppression,

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[23]Johanna W. H. von Wijk Bos, *Reimaging God*, Louseville, Kentuchy: Westminister John Knock Press, 1997, 71-72.

[24]Elisabeth Schuessler Fiorenza, *Jesus: Miriam's Child, Sophia's Prophet*, New York: Continuum, 1995, 135.

[25]Fiorenza, *In Memory of Her*, 3.

[26]Anne M. Clifford, *Introducing Feminist Theology*, Mary Knoll, New York: Orbis Press, 2001, 56.

discrimination, marginalization, domination, powerlessness, silencing, humiliation, etc.

Indifferent and dispassionate historical critical study and interpretation of the Bible will not be helpful for empowering women to regain their lost rights. Undoubtedly, there is difference "between academic work and political societal forces and conditions, between so-called value-neutral scientific investigations and advocacy scholarship."[27] Just as men use Bible for their own advantage and to the disadvantage of women, those who are fighting for the cause of women can use it in favour of themselves. Such counter attack is warranted by women's situation in today's Church.

May be the males of today do not consider women as wretched as some Jewish Rabbis did.[28] Still their position is not what it has to be. Feminist hermeneutics will be at least a good beginning of a long process of women's liberation struggle. From that perspective works like *Women's Bible* (New York: Arno Press, 1974) by Elizabeth Candy Stanton are significant.

6. Conclusion

Bible has engendered different forms of injustice to women, both because of naïve and uncritical approach to it and because of skilful manipulation by interested parties. It is high time justice was restored to women. There are solid bases in the Bible itself for initiating a process of liberating them from the dehumanising clutches of the past, built with stones of ignorance and male egoism. Dispassionate and disinterested historical critical exegetes alone cannot help women win their fight for justice. Feminist hermeneutics also should be made use of, though in a balanced way. Justice has to be done to women, so that, as the whole redemption history and the Jesus event narrated in the Bible uphold, ultimately truth may have victory over untruth.

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[27]Fiorenza, *In Memory of Her*, 3.

[28]See Werner Neuer, *Man and Woman in Christian Perspective*, Wheaton, Illinois: Crossway Books, 1990, 92-93.

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CONTEMPORARY MASS MEDIA AND GENDER JUSTICE

A Critical Analysis on Empowerment of Women in India

Kiran Prasad♦

"There is no chance for the welfare of the world unless the condition of women is improved. It is not possible for a bird to fly on one wing."

Swami Vivekananda[1]

1. Introduction

From ancient times India upheld the ideal of motherhood. Vivekananda records the foundational reason as follows: "From motherhood comes tremendous responsibility. There is the basis; start from that. Well, why is mother to be worshipped so much? Because our books teach that it is the pre-natal influences that give the impetus to the child for good or evil."[2] Vivekananda's clarion call for women's empowerment continues to be the need of the hour. India has not only neglected this ideal but has perpetrated untold horror and injustice on its women folk.

Although discrimination against and exploitation of women are global phenomena, their consequences are more tragically felt among the women in the developing nations of the world. Poverty, ignorance, deprivation of

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[1]Swami Vivekananda, *My India: The India Eternal*, Calcutta: The Ramakrishna Mission Institute of Culture, 1996, 68.

[2]Swami Vivekananda, *Women of India* (Lectures delivered at the Shakespeare Club House, in Pasadena, California, January 18, 1900), Tenth Impression, Madras: Sri Ramakrishna Math Printing Press, 1900.

the basic necessities of life, and the ever-growing pressure of transition from tradition to modernity – all combine to aggravate the inequalities that women in developing countries, including India, suffer to a great extent at which their existence is reduced to a continuous battle for survival.

2. Gender Inequality

The concept of gender refers to the qualitative and interdependent character of the position of women and men in society. Gender relations are constituted in terms of the relations of power and dominance that govern the lives of women and men. Thus, gender divisions are not fixed by biology, but constitute an aspect of wider social division of labour that is rooted in the context of cultural, religious and ideological systems prevailing in a society.[3] Many terms have been used synonymously such as "status of women," "female autonomy," "patriarchy," "sex stratification system," "women's rights" and "men's situational advantage," all of which implicitly refer to gender inequality. It is only recently that the "status of women" found its way into the Indian Population Policy documents.[4] The traditional division of rights and responsibilities in many cultures, including India, places women in an inferior position socially, economically, legally and politically which can be changed by political and opinion-shaping influences. A complexity arises from the fact that gender is not always constituted coherently or consistently in different historical contexts and intersects with racial, class, and regional identities. This complexity, especially in India, requires attention from policy framers and appropriate development interventions.

Gender inequality has to be examined in consideration with other forms of inequality defined by class, caste and religion. Women's social class has a strong impact on their economic activities, access to agricultural land, employment opportunities, gender relations within the household, and intra-household resource distribution. Religious conflicts and a desire to establish religious identities have increasingly coloured

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[3]Lise Ostergaard, ed., *Gender and Development*, London and New York: Routledge, 1992, 6.

[4]Planning Commission, *Eighth Five Year Plan, 1992-97*, vol. 2, New Delhi: Planning Commission, Government of India, 1992.

gender politics among Hindus and Muslims.[5] There is considerable variation in the social construction of gender in different parts of India, especially between the northern and southern regions, but only general patterns of gender inequality will be focused here to highlight the development and empowerment of women.

The Gender Equality Index (GEI) is estimated to measure the inequality in attainment on human development indicators between females and males. The GEI, at the national level was 0.620 in the early eighties, improving marginally at 0.670 in the early nineties. In general, women were better off in southern states of India than in the Indo-Gangetic plain, comprising mainly the states of Bihar and Uttar Pradesh. India, however, is ranked 105 in Gender Development Index among the nations, according to the UNDP[6] report, which shows that women in India have a long way to go to achieve gender equality.

2. Contemporary Mass Media and Empowerment of Women in India

a) Silencing Women

Before empowerment of women can be achieved it is necessary to enable them to give voice to their experiences and for society to understand them as human beings and respond to them with sensitivity. With nations (including India) boasting themselves as nuclear powers, "space-age countries" and "information societies" it is unthinkable that people of any country would burn its women alive (for dowry), except in India. The soaring crime-rates in the country and violence against women are proofs of a battleground where women utter a silent prayer at the end of the day if, at least, they are physically alive. The pain of women is rarely raised in this country which has the long revered tradition of *Shakti* worship (worshipping the Goddess as the ultimate form of Godhead); in reality India has sentenced its women to a fate often reaching a point of no return. Communal riots can render even the slumbering politicians to rise and make an effort (even though it may not be genuine) to score a point or two

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[5]Sonalde Desai, *Gender Inequalities and Demographic Behaviour*, New York: The Population Council, 1994, 7.

[6]UNDP, *Human Development Report 2001*. Oxford: Oxford University Press, 2001.

over it. The large-scale violence against women, however, does not seem to touch the representatives of the people (almost half of their electorate being women) who remain oblivious of the plight of women. It is even more shocking that, of late, several *panchayats* (especially in North India) have begun to award punishments to women such as approving their sale to criminals, gang rape, excommunication from the village (along with their families) and social boycott by the community. It is a serious question whether such local bodies can be true instruments of political empowerment, as presently they seem to be emerging as instruments of oppression and discrimination against women.

Women are under great social control and scrutiny which has restricted what they can say, and where and to whom. Cultural mores in almost every social set-up determine women's socialisation in no uncertain terms. This has an important bearing on their ability to communicate. Women are forced to express their subordination through 'feminine' words, voice and syntax. In this context, Ardener conceives of women as a "muted" and men as a "dominant" group in relation to language, meaning and communication.[7] In patriarchal cultures, men determine the general system of meanings for society and validate these meanings through the support received from other men. These meanings, regarded as correct by men, have evolved out of male experiences and the concepts and vocabulary arising out of it are quite different for women to contend with and express themselves in.[8] There are several words in almost every language to describe women who are in disrepute for whatever reason. For instance, to be a prostitute is to be stigmatised for life but the men who are the clients (or, even, prostitutes themselves) do not suffer in the least from social mores or sanctions that continue to bestow status on them. They enjoy immunity from stigma and abuse; it is strengthened by the fact that there are no words to describe such immoral men. There can be *other women* in extra-marital relations but no *other men*.

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[7]Edwin Ardener, "Belief and the Problem of Women," in Shirly Ardener, ed., *Perceiving Women*, London: Malaby, 1975.

[8]R. N. Kiran (alias Kiran Prasad), *Philosophies of Communication and Media Ethics: Theory, Concepts and Empirical Issues*, New Delhi: BRPC, 2000, 98.

Spender documents the silencing or threatening of women by the application of deviancy labels.[9] Women, particularly knowledgeable, who question or rebel against patriarchy are called aberrations, unnatural, unattractive, unisexual, unnaturally sexed and man-haters. The victimisation of women through rape and domestic abuse or other forms of violence – implicit or explicit – restricts women's activities in all spheres and underlines all aspects of human communication. Germaine Greer called for a revolution of women based on co-operation for wrecking the stereotyped images cast on them by men and asserting themselves as persons with individual identities.[10]

India claims the promotion of scientific temper and women's empowerment (2001 being the Year of Women's Empowerment) as some of their important social development goals but all the television channels have serials portraying *only women* as evil spirits, witches and ghosts. It is not shocking to hear that even in the 21st century India is still "witch-hunting" in the countryside. The revolution in new communication technologies has unleashed a very brutal assault on the psyche of the youth enamoured by sexual images let loose over the Internet and satellite channels. The misinformation campaigns on the media, subtle and very obvious at times, have made the path of women's empowerment a very difficult and thorny one. Future communication policies must address women's rights as central to development if India's position must improve on the human development index.

b) Images of Women in the Mass Media

Women have mainly stayed within the private spheres of the home, with men going to work in the public world. The public/private division gains credence in mainstream communication theorizing of which is often divided into the study of interpersonal communication highlighting areas of male/female intimacy, sex roles, role playing, friendships, body image, empathy and healthy interaction, styles of listening, perception processes, self-concept and identity and mass communication – concerned with issues such as competition, producers and consumers, technology, political power, audience, content, history, institutions, persuasion and

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[9]Dale Spender, *Women of Ideas and What Men Have Done to Them: From Behn to Adrienne Rich*. London: Routledge & Kegan Paul, 1982.

[10]Germaine Greer, *The Feminist Eunuch*, New York: McGraw Hill, 1971.

policymakers. Interpersonal communication study is, thus, the "small world" approach dealing with relationships among individuals (in which women figure) and mass media study is the "big world" of communication structures, technologies and policies that deals with significant political issues (in which men figure prominently).[11] This paradigm has led to further segregation of men and women and deepening of gender differences in life experiences.

The essential mandate of all feminist communication research is to "invent approaches to allow us to hear the meanings of women on their own terms, including their observations of the structures that constrain them."[12] An important initiative is women's mobilization in communication as in the Women's Feature Service of the Inter Press Service, a wire service that gathers and disseminates news about women to more than 800 clients in 80 countries.[13] The expressed agenda of the service is to "influence public policy for a more holistic development planning and implementation."[14] In India, given the enormity of illiteracy, especially, among women, radio and television exposure is considerably higher than print media. The electronic media offer women entertainment and information in a homebound environment. The tremendous popularity of television and its ability to reach a vast audience, with illiteracy being no barrier, led to the idea of using television as a channel for information dissemination on social development among several governments or administrators. From the eighties television began to be used to promote development oriented messages among the Indian population. There was, however, no exclusive focus on women's problems and their development. In the absence of a comprehensive media policy in India, television content emphasising entertainment has grown to such an extent that today all television channels are oriented towards commercialisation with not even a semblance of public education or service. Though television in India began with the avowed goals of education, modernisation and

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[11]*International Encyclopedia of Communication*, 1989 edition, s.v. "Feminist Theories of Communication," by Cheris Kramarae, vol. 2, 160

[12]Brenda Dervin, "The Potential Contribution of Feminist Scholarship to the Field of Communication," *Journal of Communication* 37 (1987), 112.

[13]Anita Anand, "Communication for Women in Development: The Experience of Inter Press Service," *Development* 2 (1990), 77.

[14]Anand, "Communication for Women in Development," 77.

development, today's satellite channels have done more damage to the cause of women's development by regressing to highly negative values that impede women's empowerment.

c) Families on Television

Television programmes have made use of cultural stereotypes to reinforce subservient role models for women that are major obstacles in changing social prejudices and traditions affecting women. The soap opera genre, or tele-serials as they are popularly called, projects the joint-family system as an ideal one and an institution to be protected (by women) when in reality its prevalence is diminishing and nuclear families are increasingly in vogue. These joint families are mainly upper middle class, mostly belonging to the higher castes with business as their primary economic activity. Women in these families are there just to serve their tense spouses engaged in business wars and conflicts. The joint families seen on television are not the happy, harmonious ones but full of intrigue, disharmony and on the verge of breakdown affecting relationships between spouses and other family members. These family set-ups are the sites of oppression, violence and great distress for women. It is ironical that despite the tyranny of such joint families, women are projected as mainly responsible for the ills and disharmony plaguing the family. They are portrayed as idle, scheming and wicked bent on destroying family values and traditions. In reality, strangely, the converse is true with women engaged in never ending household and outside work with little respite or leisure.

Housewives and women of every hue and nature can be seen on television adorning lavish sets (common in cinema) dressed in heavy designer wear and jewellery (even while engaged in the kitchen). The television serials *Kusum* (Sony, 9.00 pm), *Kasauti Zindagi Ki* (Star Plus, 8.30 pm) and *Kahani Ghar Ghar Ki* all have women who plot and scheme against others in the family while all that the men do is to act like dummies. The regional channels in South Indian languages catering, especially to the women of the South (who are considered to be better empowered than their sisters in the North), portray women as satanic creatures out to break their kin's families (even if it means competing for their own sisters' husbands). Bigamy is an exception in Kerala, but the regional channels, Asianet and Surya, extensively use bigamy, extramarital affairs, children born outside wedlock and women as prostitutes in the

storylines and plots of their television serials. These themes have formed the mainstay of a series of soaps titled *Stree* (women) in Malayalam and other South Indian television channels. Such projections mislead people to believe that these conditions are universal and widespread in Kerala society when in reality they are isolated cases. One of the major reasons for this trend is that these serials are adapted into several other regional languages (especially Tamil and Telugu) and cultures wherein such situations exist on a greater scale. The financial success of such serials on one television channel urges the producers of rival television channels to use them to make profits in their own languages. It seems incredible that women are that powerful in real life to be able to harm others extensively let alone their ability to save themselves from perilous situations. It must, however, be borne in mind that women shoulder the major share of burden of family life often under stressful and difficult situations with little support from their husbands and other family members. It is important that television programmes give a more balanced and positive picture of family life, so as to be an instrument of education and social uplift.

If the soap operas have been able to spawn a host of female villains on one extreme, at the other end are the mute, all suffering and self-sacrificing 'door-mat' women. In all the television serials women are the central characters, be they the tormentors or the victims while the men do nothing but just seem caught in a web of unfavourable circumstances. Television culture has produced breed of weak, indecisive men ensnared by sexy women when in reality men play an active role in oppressing women in various ways, including subjecting them to physical assault, rape, pushing them into the sex trade and even abandoning them. Women who resist these men, by word or deed, are regarded as having committed a serious crime and unfit to continue in a marital relationship. Indeed, media culture continues to repeat stereotyped negative characters, which further depresses the women's cause rather than energising women through strong and independent characters for charting a positive course in life.

d) Women and Social Life in the Mass Media

Girl children and young women are under great social scrutiny and control from early years. They are expected to express their feminine nature through voice, syntax and role to gain social approval. All male members are to be treated with the utmost deference and husbands never to be

addressed by first name in most states of India. Women are impressed upon to cultivate an emotional and sentimental outlook and take responsibility for the quality of interpersonal relationships rather than having a rational or independent outlook. Women are seen in the midst of situations wherein their partners are unfaithful and involved in several sexual liaisons. Such situations are projected, however, as of their own making rather than the irresponsible and immoral behaviour of their men. Even more unbelievable is to see women characters on the small and big screen not only condoning their licentious men but also reassuring them that they could go ahead with extramarital affairs with their (wives') full approval.

The media places a high premium on marriage and motherhood for women but fatherhood is a value of no consequence, and needs little responsibility. Subjecting women to beating is most acceptable if they dare to express their views, especially if it meant going against the husband or his family. Women who decide to go against rigid family and social norms put their lives on trial. Indeed, the media's message to the women of India is that "silence is golden." Researches show that in male female gatherings, men talk more and interrupt more than women. It is telling that men's talkativeness and interruptive tendencies are not among men's stereotypes about male interaction.[15] The general inequality in communication being unfair to women, it can also have consequences for men. They frequently admit that they don't know what women are talking about and this is in part from the tunnel vision that comes from total acceptance of the dominant definition of reality. Women, when permitted and encouraged to speak for themselves and by themselves, bring forth their reality in their language. The communication of diverse realities in the mass media would empower a shift in values beneficial to women at many levels.[16]

e) Women and Print Media Culture

Newspapers often cover women's problems drawing the attention of policymakers to issues requiring immediate attention such as the adverse sex ratio, infant and maternal mortality, crime against women and the effects of poverty on women and their families. This coverage, however,

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[15]Karmarae, "Feminist Theories of Communication."

[16]Kiran, *Philosophies of Communication and Media Ethics*, 100.

is very limited with the rest of the space occupied by cinema actresses, models, video jockeys (*veejays*) and the rich and their hobbies. Many of the women's magazines are devoted to fashion, glamour, beauty ads and aids, weight reduction, cookery and how to sharpen 'feminine instincts' to keep men and their in-laws happy. There are very few articles on career opportunities, health awareness, entrepreneurship, legal aid, counselling services, childcare services and financial management. Print media must focus on women achievers in diverse fields to inspire young girls and women and there is no dearth of such great women in our country.

f) Women in Advertisement and Music Industry

Advertisements on television have a new type of woman, who is selfish, actively aggressive, sexist, abusive, insensitive and a hormone-driven female chauvinist.[17] Strangely, these models are used for exclusively male products. For instance, in the Rupa Underwear advertisement, the man has lipstick marks all over his bare body when he strays into a women's rest room – symbolic of mass female molestation. In a similar vein, the VIP advertisement has two young women playing 'Peeping Janes' spying from a balcony on a man who is unsuspectingly moving around in briefs at home.

The women in television advertising are obsessed with beauty and are seen toiling away to improve their appearances seeking every available cosmetic aid to catch the attention of men. For instance, even a toothpaste advertisement (Close Up) has a man hugging a book on "Physical Chemistry" staring at the girl – his gaze reaching her chest. There are women washing a never-ending stream of dirty clothes, dishes, floors and toilets with solicitous men advising them on what the best cleaning agents are. The world of business, banking, finance and automobiles are the exclusive preserve of male models with women in the background.

The music industry has begun a new onslaught on women's dignity and right to privacy with the lyrics, dialogues, scenes touching dangerously low levels of degradation and sexual abuse. Such music albums are highly popular among the youth and can easily mislead them on sexual relations, leading them to take sex and women very lightly. The recent music videos "*Kaliyon Ka Chaman*" was gently seductive while "*Kaanta Lagaa*" was a blur of G-strings, porn and tantalising

[17]Kanika Gahlaut, "Out of the Box," *India Today*, November 25, 2002.

choreography and held the top position in the music popularity charts for over six months. The music video had a skimpily dressed young girl gaining entry into a nightclub and goes on to tease her boyfriend by dancing with a porn magazine tucked in her low waist jeans. In a strong reaction to media's portrayal of women, Nirmala Samant Prabhavalkar, former Mayor and Chairperson of Maharashtra State Commission for Women said: "The media, which today includes video and pop albums, are increasingly becoming gender insensitive to the gender issue. The entire issue is being overlooked as it is considered a taboo or restrictive of individual freedom."[18]

The Indian Broadcasting Federation (IBF) recently submitted a compendium of "do's and dont's" for satellite channels, the code coming after 10 years since satellite channels invaded Indian homes. The code looks into news, entertainment, films on television (films on sex and nudity to be strictly scheduled after midnight) and radio, and is binding on all satellite channels.[19] The IBF dropped 14 liquor advertisements adhering to the advertising and programme code. Strangely, however, despite several complaints of negative and obscene projection of women on the big and small screens, the government declined to ban any television channel, teleshow or film on this count.[20] The government that harps so much on traditions, ancient values and women's dignity takes no steps to forestall the deliberate denigration of women in mass media. If the government takes a bold step in ensuring a more positive media projection of women, it would be a significant policy measure in the direction of women empowerment.

3. Implications for National Communication Policy for Women's Empowerment

Communication and information are important resources to be strengthened and shared to raise community awareness and action on various developmental issues. Community forums of rural poor and

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[18]Cited in Sangeeta John, "Bawdy Tones" *The Week*, June 15, 2003.

[19]Anuradha Raman, "IBF Draws up Do's and Don'ts Code for Satellite Channels," *The New Indian Express*, January 17, 2003

[20]"Government Not to Ban Any TV Show, Film," *The New Indian Express*, April 10, 2003.

women must be represented in various mass media councils and bodies so that their concerns and problems find expression. The just demand of the right to information campaign to release all development project details through the mass media and other channels to the people must be accepted as it will establish the right of ordinary people, including women, to protest against corruption, monitor use of funds and become part of governance. The contribution of women's movements as people's initiatives for human development must be given due regard and acceptance as expressions of an awakened and participative community and not repressed as anti-establishment forces. All development programmes must incorporate a module on communication skills, information processing and management to empower local communities to become knowledge centres.

The National Policy for Empowerment of Women[21] aims at stopping violence against women, and removing demeaning, degrading and negative conventional stereotypical images, and to use the mass media to portray images consistent with human dignity of girls and women. The policy will also involve private sector partners and media networks to ensure equal access for women, particularly in the area of information and communication technologies. The policy would encourage media to develop codes of conduct, professional guidelines and other self-regulatory mechanisms to remove gender stereotypes and promote balanced portrayals of women and men. Specific policy measures also include widespread dissemination of information on all aspects of legal rights, human rights and other entitlements of women, through specially designed legal literacy programmes and rights information programmes.

The National Policy for Women's Empowerment (2001) also focuses on gender sensitisation measures through training personnel of executive, legislative and judicial wings of the State, with a special focus on policy and programme framers, implementation and development agencies, law enforcement machinery and the judiciary, as well as non-governmental organizations. Other measures of the policy include:

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[21]Department of Women and Child Development, Ministry of Human Resources Development, *National Policy for the Empowerment of Women*, New Delhi: Government of India, 2001.

(i) promoting societal awareness to gender issues and women's human rights;

(ii) review of curriculum and educational materials to include gender education and human right issues;

(iii) removal of all references derogatory to the dignity of women from all public documents and legal instruments; and

(iv) use of different forms of mass media to communicate social messages relating to women's equality and empowerment.

The policy also aims at implementation of international commitments on empowerment of women such as the CEDAW, Convention on Rights of the Child (CRC), International Conference on Population and Development (ICPD) and such other instruments. International, regional and sub-regional cooperation towards the empowerment of women will continue to be encouraged by the policy through positive human networking, sharing experiences, exchange of ideas and technology, networking with institutions and organisations and through bilateral and multi-lateral partnerships.

A multi-dimensional and integrated approach should be adapted to the women's empowerment programme to reinforce the benefits of health, nutrition, education and livelihood components. Property rights of women must be ensured and strengthened to safeguard their interests when in crisis. Economic empowerment alone may not be a sufficient condition for women's empowerment. Raising levels of awareness about public policy, encouraging women to express their perspectives, confidence and self-esteem building measures, stress management and capacity and skill training must all complement economic empowerment if women of India must step into a more secure future towards empowerment. Freedom of communication will be an important resource and the key for self-expression of women's choices in their development and empowerment. Women's solidarity to ensure this freedom for the female members in their own families and community will significantly influence the future empowerment of women in India.

4. Conclusion

The mass media have long been hailed as the watchdog of society and this tradition enjoins on them social responsibility for mirroring and guiding

the process of social change. Contemporary mass media under various pressures (mainly economic) have become commercial channels and no longer reflect social problems or aspirations of the people, and women in particular. The media revolution and explosion resulting in an increase in the number of print media (newspapers and magazines) and television channels have not resulted in diversity of news presentation and analysis. Despite phenomenal growth in media infrastructure and technological advances, content creation is neglected and media values skewed to cater to an elite class. The citizens, both men and women, who constitute media audience, must act as pressure groups and monitor media performance in gender sensitive issues. The mass media enjoy freedom of expression guaranteed by the Indian Constitution, and equal right to all citizens is a fundamental right enshrined in this Constitution. The media must, therefore, regard its role as fundamental in supporting the progress of women and assist them in their march for a better social status and quality of life. The government must introduce suitable mechanisms in the nature of a Task Force and media forums to monitor media performance to stem the tide of negative and unjust portrayal of women in the mass media. The Media Performance Task Force (akin to the IT task force) must come up with a vision document that outlines practically achievable and realizable goals; to begin with the mass media must stop the endless scenes of violence against women and portray them in a dignified manner. To begin with, the Media Performance Task Force must create a generation of sensitive media professionals who can sustain women's development and ultimately help achieve the larger vision of a just society that accords equality before the law without preference for anyone merely based on gender.

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GENDER JUSTICE: A UTOPIAN IDEAL?

A Feminist Perspective

Pauline Chakkalakal♦

1. Introduction

There has been a growing awareness of the dignity and role of women all over the world since the 1980s. People are beginning to realise that the Feminist Movement is one of the signs of the times that deserves our attention. The United Nations Declaration on the Decade of Women (1975-1985) acknowledges and establishes the movement as essential to the promotion of fundamental human rights in the spirit of its motto: equality, development and peace. As Pope John XXIII rightly remarks in his encyclical, "Since women are becoming ever more conscious of their human dignity, they will not tolerate being treated as mere material instruments, but demand rights befitting a human person both in domestic and in public life."[1]

Nevertheless, in the Church as well as in the wider society, the recognition of women's dignity and capability has to be constantly claimed. For, women have to consciously demand their rights and privileges both from civil and church authorities who seemingly are often apathetic and silent. The situation is all the more serious in the context of India – with its culture, predominantly rooted in Hindu ethos that is strongly entrenched in the caste system, with dehumanising poverty and illiteracy – which assigns to women an inferior role in most spheres of social life. Set within this paradoxical context, this essay makes an

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[1]John XXIII, *Pacem in Terris* (Encyclical Letter, 11 April 1963), *AAS* 55 (1963), 267-268.

attempt to address the problems related to the realization of gender justice for women in the Church, and in the society, at large.

2. Women and Gender Justice in Society

Women form part of a patriarchal society, wherein they experience a great discrepancy between the idealised concept of women and their real life situation. In both the developed and developing countries, women are victims of multiple inequalities, which are the by-products of centuries-long socio-cultural, religious, economic and political discriminatory practices.

Patriarchal (religious) ideology fosters the belief that man is superior to woman, that her subordination is derived from God's will; hence, man exercises power in God's name and he is the sole authority in all major decisions. It claims divine legitimacy for women's subordination and victimisation in the social and religious spheres. Our double standards of law and morality, which primarily protect the rights of men, are also based on patriarchy.[2]

These preliminary remarks help us perceive the close relationship between gender and patriarchy. It must be underlined that the existence of patriarchy mediated through structural and ideological forces determines the form of gender relations in any given society. Hence, there is need to concretise the concept and the meaning of gender and the usefulness of 'gender' as a conceptual category in understanding the problems of domination and subordination.

a) Understanding Gender

Gender is the cultural definition of behaviour acknowledged as appropriate to the sexes in a given society at a given time.[3] It may be described as a set of cultural roles, defined by existing power relations and social practices. To put it differently, gender means how men and women are socially and

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[2]Kamla Bhasin and Nighat Said Khan, *Some Questions on Feminism and its Relevance in South Asia*, Delhi: Kali for Women, 1986, 9. See also J. C. Brown and C. R. Bohn, eds., *Christianity, Patriarchy and Abuse: A Feminist Critique*, New York: The Pilgrim Press, 1990.

[3]Gerda Lerner, *The Creation of Patriarchy*, New York: Oxford University Press, 1986, 238.

culturally constituted, and how these are given ideological meaning by delineating relations of power.[4]

Unfortunately, the term 'gender' is used both in academic discourses and in the media as interchangeable with 'sex'. As Lerner rightly remarks, such a usage "hides and mystifies the difference between the biological given – sex – and the culturally created – gender."[5] Unlike the God-given physiological difference between male and female, gender roles are the creation of humans. Hence, they are "neither universal nor static." Since they are learned, they can also be unlearned. What is considered to be 'womanly' and 'manly' varies widely among different times and places, whereas the purely biological distinction of being female or male is universal.

The term 'sex-gender', introduced by the anthropologist Gayle Rubin, has found wide acceptance among feminists. It refers to the institutionalised system, which allots resources, property and privileges to persons according to culturally defined roles.[6] Thus, it is sex that determines women's childbearing role, whereas it is the sex-gender system that assigns their childrearing responsibility. Feminist scholars argue that women's subordinate and secondary position is due to socially constructed, and not naturally occurring, patterns of gender division.[7]

The distinction between 'sex' and 'gender' as advanced by Robert Stoller represents an influential piece of analysis:

> With a few exceptions, there are two sexes, male and female. To determine sex one must assay the following conditions:

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[4]Anandi S. and A. R. Choudhury, "Patriarchy and Gender Relations: An Overview" in Rudolf C. Heredia and Mathias Edward, eds., *The Family in A Changing World*, New Delhi: Indian Social Institute, 1995, 22.

[5]Lerner, *The Creation of Patriarchy*, 138. See also Ann O'Hara Graff, "The Struggle to Name Women's Experience," in *In the Embrace of God: Feminist Approaches to Theological Anthropology*, Maryknoll, New York: Orbis Books, 1995, 71-89.

[6]Lerner, *The Creation of Patriarchy*, 138.

[7]For further detailed description, see Elaine L. Graham, *Making the Difference: Gender, Personhood and Theology*, London: Mowbray, 1995. See also M. Gatens, "A Critique of the Sex/Gender Distinction," in S. Guneru, ed., *A Reader in Feminist Knowledge*, London: Routledge, 1991, 139-157.

> chromosomes... One's sex, then, is determined by an algebraic sum of all these qualities, and, as is obvious, most people fall under one of the two separate bell curves, the one of which is called 'male', the other 'female'. Gender is a term that has psychological and cultural rather than biological connotations: if the proper terms for sex are 'male' and 'female', the corresponding terms for gender are 'masculine' and 'feminine'... Gender is the amount of masculinity and femininity found in a person, and obviously, while there are mixtures of both in many humans, the normal male has a preponderance of masculinity and the normal female a preponderance of femininity.[8]

Joan Scott's definition of gender involves two interrelated but analytically distinct parts. Gender is "a constitutive element of social relationships based on perceived differences between the sexes, and a primary way of signifying relationships of power."[9] This definition has far-reaching implications. Power does not merely manifest itself in and through gender relations but gender is constitutive of power itself. It points, among other things, to the contingency of the association of gender with a sexed body and to the gendered nature of all power-relations.[10] Kandiyoti maintains that the concepts we employ to designate the working of power and domination never seem to fully capture the specificity of their manifestations through historically and culturally contextualised forms of gender-relations.[11] The task of gender analysis is to reveal how all forms of social hierarchy are ultimately gendered. This has contributed to the gender-based division of labour, a point that will be discussed in the sequel.

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[8]Cited in A. Oakley, *Sex, Gender and Society*, Aldershot: Gower, 1972, 158-159. See also S. L Bem, *The Lenses of Gender: Transforming the Debate on Sexual Inequality*, London: Yale University Press, 1993 and R. W. Connell, *Gender and Power: Society, the Power and Sexual Politics*, London: Polity, 1987.

[9]J. Scott, *Gender and the Politics of History*, New York: Columbia University Press, 1988, 42.

[10]Deniz Kandiyoti, "Gender, Power and Contestation," in C. Jackson and R. Pearson, eds., *Feminist Visions of Development: Gender, Analysis and Policy*, New York: Routledge, 1998, 145.

[11]Kandiyoti, "Gender, Power and Contestation," 145.

b) Gender-based Division of Labour

Many of the gender roles ascribed to men and women are largely due to the existing structure of the society and the attitudinal predispositions, which perpetuate patriarchal power relations.[12] At its simplest, the gender division of labour can be seen as the allocation of particular tasks to particular people. It becomes part of a social structure to the extent that this allocation poses a constraint on further practice. For example, in most cultures, women look after children because they have *always* done so. Similarly, motherhood is such an essential component of women's gender-identity that it is seen as the 'natural' expression of womanhood. Equally, there are powerful norms about masculinity that work against men taking on the role of 'mothering' and domestic work, to do so would constitute a violation of the prescribed gender roles. As Naila Kabeer rightly observes, "what may have started out as a way of organising labour takes on a normative significance so that values become embodied in the tasks and in who does them."[13]

As these divisions of labour become an accepted norm, they form the basis of new constraints on practice. What exists in most societies are what Connell calls "hegemonic forms" of masculinity and femininity which constrain the actual practices of men and women, but do not determine them. Some societies are relatively flexible with regard to their rules and practices that shape gender relations. Others, on the other hand, enforce them severely and punitively. Nevertheless, most societies have set their normative standards, which exercise greater or lesser pressure for conformity. Obviously, "gender-related processes influence behaviour, thoughts and feelings in individuals; they affect interaction among individuals; and they help determine the structure of social institutions."[14]

Along with individual gender identities, family and kinship relations are systems for organising rights, responsibilities and resources for

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[12]B. Bhattacharya and G. Jhansi Rani, "Defining a Framework for Gender Analysis in Development Planning," *Journal of Rural Development* 13 (April-June, 1994), 244.

[13]Naila Kabeer, *Reversed Realities: Gender Hierarchies in Development Thought*, New Delhi: Kali for Women, 1996, 59.

[14]Mary Crawford, *Talking Difference: On Gender and Language*, London: SAGE Publications, 1995, 13.

different categories of members in different social groups. Whitehead characterises relationships within the familial domain as gender-ascriptive: "in them, to describe the position is to describe the gender."[15] Thus, to be a husband, a wife, a mother, a father, an uncle, or a niece, is to be either a man or a woman. These relationships are governed by social 'rules' that determine how assets are to be distributed between the occupants of the different relationships, how authority and status are to be assigned, and how labour is allocated. Familial relationships are a primary mechanism through which social meanings are invested in, and social controls exercised over women's bodies, labour, sexuality, reproductive capacity and life choices.[16]

The jargon of gender is liberally used, but if one deconstructs the language further, one realises that the term is used more in a descriptive sense to refer to social differences in roles and responsibilities of men and women in society, rather than the relationship of power between men and women.[17] The gender and women's issues in India are unique as they are bound up with caste-class factors and with sexism *per se*. Empirically, class and gender tend to be mutually constituted; biological differences are always highlighted in the context of intersecting social inequalities. As R. K. Murthy aptly observes, forms of discrimination through which these power relations manifest themselves most strongly like violence against women, male control over women's sexuality and reproduction, as well as over mainstream political processes, etc., fall outside the ambit of most of these frameworks.[18] When we examine gender relations as power

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[15]A. Whitehead, "Some Preliminary Notes on the Subordination of Women," *IDS Bulletin* 10, 3 (1979), 11.

[16]Kabeer, *Reversed Realities*, 58.

[17]Ranjani K. Murthy, "Power, Gender Relations and Development Organisations," *Madhyam* 13, 2 (December 1998), 26.

[18]Murthy, "Power, Gender Relations and Development Organisations," 26-27. Murthy continues: "The dominant frameworks which emerged in the decade 1985-1995 include the Gender Analysis Framework... The fact that gender relations are closely intertwined with relationships of race, class, caste, religion, ethnicity, age and other social variables is also not recognised by any of these frameworks." For a critique of the dominant frameworks, see pages 26-27.

relations,[19] it is evident that men are favoured by the rules of the institutions within which gender relations occur and that they enjoy and exercise power in commanding these resources. Gender inequality is, therefore, an outcome of an asymmetry in power, where men are in a position of privilege and women in subordination.[20] As Jyotsna Chatterji observes,

> The types of discrimination and oppression of women fall into two categories, one practised on the basis of caste and class, and the other on the basis of sex. When these two combine as in the case of Backward Caste, Scheduled Caste and tribal women, the oppression becomes all the greater. Within each of these areas there are different sections of women who are subjected to oppression, such as the rural and urban poor belonging to the above sections, the working women and the educated and economically better off women. These specific sections have their own concerns and areas of struggle that will involve all women.[21]

It should be noted that the patriarchal ideology and its gender-based division of labour affect poor women more severely than upper class women. Their workload is doubled as they shoulder the major part of the burden in agricultural production, along with domestic chores. The majority of women work 14 hours a day, but their contribution is not recognised as they are always paid lower than men. Bina Agarwal observes that agricultural growth strategies pursued, since the mid 1960's have not made any significant dent on the incidence of absolute poverty.[22] Instead, male-female differentials in employment and earnings among the poor in many states have increased. There has been a preoccupation with

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[19]See N. Kabeer and R. Subrahmanian, "Institutions, Relations and Outcomes: Framework and Tools for Gender-Aware Planning," Discussion Paper 357, Institute of Development Studies, University of Sussex, Brighton, September 1996.

[20]For further information, see Women's Policy Research and Advocacy Unit, National Institute of Advanced Studies, Bangalore, "The Status of Rural Women in Karnataka Study: A Summary Report of the Preliminary Findings," September 1997.

[21]J. Chatterji, "Perspectives of Joint Women's Programme," *Religion and Society* 40, 1 & 2 (March-June 1993), 57.

[22]Bina Agarwal, ed., *Structures of Patriarchy-State, Community and Household in Modernising Asia*, New Delhi: Kali for Women, 1991.

growth at the cost of both distributional and ecological considerations. This has deepened class and regional disparities.

A large number of women in India are employed in agriculture and the rest in non-agricultural works, working in organised as well as unorganised sectors of the economy.[23] It is estimated that most Indian women work in the unorganised sectors. Whether they work in organised or unorganised sectors, women are subjected to various forms of exploitation. The State entitlement to benefits such as health insurance, pensions and welfare payments are looked into only through women's relationship with men. The police and the law treat the rape of women and their physical and sexual assaults lightly. Even appointments to public office in the judiciary, the civil service and industrial planning are not shared equally between men and women.

It has been argued that the use of gender-related categories has obscured patriarchy and politico-economic contents of this power relationship. The relationship between State and colonialism, etc., becomes fully visible only in the analysis of patriarchy while gender tends to reduce the problem to the social sphere. This fear can be overcome when gender is treated as one of the factors by which patriarchal power is maintained. In a study on "Power, Gender Relations and Development Organisations," R. K. Murthy states succinctly:

> Empirical evidence across the globe and in South Asia indeed supports the viewpoint that organisations reflect and reinforce gender hierarchies through their substantive, structural and cultural features... The substantive elements (rules and policies) of development organisations are also shaped by the belief that the gender issues are women's issues. Decision-makers of organisations often evolve separate gender policies and separate programmes for women; leaving a majority of policies and programmes gender-blind.[24]

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[23]For a discussion on this, see Malavika Karlekar, *Poverty and Women's Work: A Study of Sweeper Women in Delhi*, New Delhi: Shakti Books, 1982. See also Rosamma George, "Women's Endless Struggle Continues," *Indian Currents* (March 12, 2000).

[24]Ranjani K. Murthy, "Power, Gender Relations and Development Organisations," *Madhyam* 13, 2 (December 1998), 23.

Both within and across institutions, gender operates "as a pervasive allocational principle, linking production with reproduction, domestic with public domains, and the macro-economy with the micro level institutions within which development processes are played out."[25]

Locating gender relations as a power-laden category, we see how women have been co-opted into the patriarchal system. Institutions provide the framework for specific organisational forms[26] which, through the impact of tradition, custom or legal constraint, tend to create "durable and routinised patterns of behaviour."[27] As Naila Kabeer asserts, gender is always interwoven with other social inequalities, such as caste, class and race, and has to be analysed through a holistic framework if the concrete conditions of life for different groups of women and men are to be understood.[28]

Patriarchy, the system by which women are minimised, trivialised, and made invisible, "sucks power to the top or passes it down in gradual decreasing doses." Aimed at systematic disempowerment of women and other marginalised sections of society, this male-dominated structure safeguards the rights and privileges of upper class and caste men, as well

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[25]Naila Kabeer, *Reversed Realities*, 62. Although I have not included a discussion in the main body, the role of the State in consolidating patriarchy cannot be ignored. India's developmental policies, technological innovations, various legislations, codifications and implementation of personal laws have been, by and large, influenced by patriarchal norms. Religious identity and state power are used to push women into domesticity and to control their sexuality. A typical example is the argument of the BJP Mahila Morcha: "We conceptually differ from the feminist movement in the West. We require a sort of readjustment in the social and economic set up, while no fundamental change in the existing value system is desirable. Women in India have a pride of place within the household and society." Cited in K. Ratna and B. Crossman, "Communalising Gender? Engendering Community: Women Legal Discourse and Safforn Agenda," *EPW*, 23 (April 24, 1993). For a critique of this position, see Arundhuti Roy Chaudhury, "Communal Politics and Women's Rights," *Women's Link* 5, 1 (January-March, 1999), 3-7.

[26]Kabeer, *Reversed Realities*, 61. Kabeer draws our attention to the class factor, along with other forms of social inequality whose significance is context specific. Gender oppression cannot be understood apart from class oppression.

[27]G. M. Hodgson, Economics *and Institutions*, Cambridge: Polity Press, 1988, 10.

[28]Kabeer, *Reversed Realities*, 65.

as of those women who function within its male-defined boundaries. Built on the powerlessness of a section of people by the powerful, the system helps the powerful to take "all power to themselves, public, intellectual, and religious."[29]

3. Women and Gender Justice in the Church

What has been discussed so far is applicable also to the church that operates on patriarchal norms. Although the teaching church has long upheld, at least in principle, the biblical revelation enshrined in Gen 1:26-28 and Gal 3:26-28, its practice contradicts its belief. Despite its declaration on equality and co-responsibility, for all practical purposes, the Church still remains a hierarchically structured institution, firmly established on the rock of patriarchy. It also perpetuates gender discrimination through its androcentric theology, biblical interpretation and an all-male Church leadership.[30]

To grapple with the problem, it is necessary to look at (i) the influence of gender ideologies on Christian theology and (ii) to suggest alternative forms of theology and leadership which are oriented towards man-women partnership, mutuality, co-responsibility, inclusiveness and participatory decision-making in the Church. However, an elaborate discussion on the same is beyond the scope of this Paper.

a) Gender-biased Theology

We are inheritors of a theology that has been shaped by Western patriarchal norms and values. As we saw, patriarchy regards males as essentially superior to females, and this division of the sexes according to the superior-inferior category results in the imposition of male authority upon the so-called 'weaker sex'. We see this exemplified in Aristotelian political philosophy. In her analysis of Aristotle's thought on this point, Elisabeth Schussler Fiorenza notes:

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[29]Joan D. Chittister, *Heart of Flesh: A Feminist Spirituality for Women and Men*, Grand Rapids, Cambridge: Wm. B. Eerdmans Publishing Company, 1998, 26-27.

[30]For a critique of western-oriented male theology with its sexist language, male concepts of God and doctrine, see E. Schussler Fiorenza, *Bread Not Stone: The Challenge of Biblical Interpretation*, Boston: Beacon Press, 1984, 9ff.

> Aristotle did not define patriarchy simply as the rule of men over women but as a graded male status system of domination and subordination, authority and obedience, rules and subjects in household and state. Wives, children, slaves and property were owned and at the disposal of the freeborn Greek male head of the household...The patriarchal relationship in household and state, according to Aristotle, are based not on social convention but on 'nature'... Marriage ... [is] defined as the 'union of natural ruler and natural subject'. Slaves and freeborn women ... are not 'fit to rule' because of their 'natures'.[31]

Aristotle's motive for assigning an inferior nature to women is based on biological concepts that modern scientific developments have rendered unacceptable. But the fact that for many centuries these concepts were taken seriously, and influenced the view on women held even by such great scholars like Thomas of Aquinas, explains partly why the notion of women's inferiority has been difficult to be uprooted in the Church.

As far as ancient Judaism was concerned, women had an inferior social status on the same level as that of slaves and Gentiles. A thanksgiving prayer recited by Jewish males ran thus: "Blessed be God who has not made me a Gentile. Blessed be God who has not made me a woman. Blessed be God who has not made me a slave."[32] The Bible itself contents many discriminatory passages, which degrade women and extol the myth of male superiority and female inferiority. For example, (a) woman treated as man's property (Ex 20:17; Deut 5:17-21; Gen 18:12), (b) laws on inheritance (Num 27:1-11), (c) laws concerning vows (Num 30:4-9; Gen 19:18, 20:1-14; Judg 19:30), (d) man's right to divorce (Deut 24:1; Sir 23:22-26), (e) laws of ritual purity (Lev 12:1-5; 15:19ff), and (f) woman confined to home (Sir 42:9-11; 2 Macc 3:19; 1 Sam l:23-24; 2:19; Prov l:8; 6:20).

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[31]Aristotle believed that woman was a biological mistake. The male seed, when perfect, tended to produce a male; only when its potency was somehow flawed and subverted by the female matter did it produce an inferior and defective person: a female.

[32]Cited in Marie de Merode de Croy, "The Role of Woman in the Old Testament," *Concilium* 134, 4 (1980), 74.

In the New Testament, Pauline texts, particularly 1 Cor 11:2-16 (women's head covering) and 1 Cor 14:26-40 (women's silence in the church) have been misinterpreted in favour of women's subjugation. In fact, they have been locked out of their contexts, and applied to totally different situations, or to issues, which lie beyond their concern. It is amazing to note how Pauline authority has been invoked in favour of female domestication in the churches through the centuries. This has not only deteriorated women's position but also contributed to the development of patriarchal theology as exemplified in the teachings of the prominent Christian thinkers in the patristic era.

We have a classic example in the writings of Tertullian, a real rigorist, particularly in his treatment of women. As a matter of fact, he provokes the most vehement and spontaneous defensive reaction in feminist circles. Like Augustine and Aquinas, Tertullian too puts the blame on the woman for the "fall" in Genesis 3. The belief that the first sin passed on from Eve to all other women became a commonplace in early Christian literature.[33] Tertullian was particularly passionate in his condemnation of women. In his treatise on the *Dress of Women*, we have the most shocking statement on women, which has been summed up in the following:

> You are the devil's gateway, you are the unsealer of that tree; you are the first forsaker of the divine law; you are the one who persuaded him whom the devil was not brave enough to approach; you so lightly crushed the image of God, the man Adam; because of your punishment, i.e., death, even the Son of God has to die. And you think to adorn yourself beyond your 'tunic of skins'? (Gen 3:21)[34]

The above text reveals the intensity of male chauvinism with its denigration of female intellect and character. The woman is portrayed as the cause of sin and death, hence deserving severe punishment. Indeed,

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[33]In fact, Augustine's views on the original sin of Adam and Eve transmitted through generations contributed greatly to the development of western theology. For current debates on original sin, see Tissa Balasuriya, *Mary and Human Liberation*, Colombo: Logos, 1990, 66-68.

[34]Cited in *Corpos Scriptorum Ecclesiasticorum Latinorum* (*CSEL*) 70.59. In *De Cultu Feminarum* C.197-202, Tertullian condemns the use of jewellery and other feminine ornaments. For a defence of Tertullian, see E. Carnelley, "Tertullian and Feminism," *Theology* 92, 31-35.

such disgraceful statements have played their role in the distortion of woman's image.

No wonder then, humanity as *imago dei* (Gen 1:27) has been equated more with man who is made to represent the higher part of human nature (reason), and humanity as fallen, more equated with woman who in her physical sexual nature symbolises and incarnates the lower part of human nature (body). Rosemary Radford Ruether points out that "patriarchal theology stressed... (woman's) 'greater aptness' for sin and her lesser spirituality. As an 'inferior mix', woman can never as fully represent the image of God as man..."[35] Moreover, it was held that even if the Fall (Gen 3) had never happened, woman would still have been made subject to man, "who represents, in greater fullness than herself, the principle of 'headship', mind or reason... The male alone possesses the image of God normatively; the woman possesses it only secondarily."[36]

Stated briefly in this way, these observations may appear exaggerated, but when we come across certain statements by the Fathers of the Church, even the more influential ones like Augustine and Aquinas, we realise how powerfully the patriarchal society of their time moulded their thought in this matter. Here below are listed two of such statements:[37]

> Woman, together with her own husband, is the image of God, so that the whole substance may be one image, but when she is referred to separately in her quality as a help-mate, which regards the woman alone, then she is not the image of God, but as regards the male alone, he is the image of God as fully and completely as when the woman too is joined with him in one.
>
> (Augustine, *De Trinitate* 7-7-10)

> Woman is an occasional and incomplete being ... a misbegotten male. It is unchangeable that woman is destined to live under man's influence and has no authority from her Lord.
>
> (Thomas Aquinas)

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[35]Rosemary Radford Ruether, *Sexism and God-Talk*, London: SCM Press, Ltd., 1983, 94.

[36]Ruether, *Sexism and God-Talk*, 95.

[37]The passage from *De Trinitate* is quoted in Ruether, *Sexism and God-Talk* 95. The other passage is quoted from Joan Chittister, *Women, Minister and the Church*, New York: Paulist Press, 1983, 6-7.

Amazingly, both Augustine and Aquinas stress in unmistakable terms that conception and birth are the two unique "help" expected of a wife. It is her role in procreation that makes the woman man's "help-mate." In other spheres of life, Aquinas suggests, "man can be more efficiently helped by another man."[38] For him, a woman does not symbolise an inferior form or lesser presence of rationality. "But her meaning is bound up with the reproduction of human nature, in distinction from those operations – including noble intellectual functioning – which define what human nature *is*."[39] Citing Augustine as authority, Aquinas insists that the image of God is found in both man and woman; it is in the mind, "wherein there is no sexual distinction... Man was not created for woman, but woman for man."[40]

One would have expected from such men of wisdom and knowledge, a more Christ-like attitude towards male and female alike. From a feminist point of view, the exegesis and biology of Augustine and Aquinas seem outdated, and have been responsible for their negative attitude toward women. Surprisingly, the teaching Church has not taken adequate measures to correct the patristic views on women.

Although Christianity as a religion and as a social institution upholds the values of equality, justice and freedom, we are confronted with the question: how far has this ideal been translated as far as women are concerned? Our study of women in Jewish and Christian traditions reveals an ambiguity, characterised by conflict between the biblical notion of human dignity (Gen 1:26-27) and "the oppressive misogynistic ideas as arising from cultural conditioning. There is a tension between the pseudo-glorification of 'woman' and the degrading teachings and practices concerning the real woman."[41] It is no exaggeration to say that the "record

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[38]Aquinas, *Summa Theologica*, I, Q.92, art.1, trans. Fathers of the English Dominican Province, London: Burns, Oats & Washbourne, 1922, vol. 4, 275.

[39]Genevieve Lloyd, "Augustine and Aquinas," in Ann Loades, ed., *Feminist Theology: A Reader*, 96.

[40]Aquinas, *Summa Theologica,* I, Q.93, art.4, reply to obj. l, vol. 4, 289.

[41]C. Arockiasamy, "Women in Christianity," in Sebasti L. Raj, ed., *Quest for Gender Justice*, 174.

of Christianity with regard to the status of women is a record of contradictions."[42]

4. Is Gender Justice Possible?

In order to overcome the man-made male domination and female subordination, both man and woman must first of all be clear about the way that sexism[43] has distorted relationality so that they can begin to work against these distortions.

The fact that men and women are equal sharers of a common human nature signifies equality of rights, mutual respect of each other's personhood, a common vocation to the image of God and to take on responsibility for the rest of creation so that all may attain the fulfilment willed by the Creator. This vision of a common humanity lays the groundwork for a 'holistic' approach to all reality, whereby, as Galiardi says, the unity and interrelatedness not only of men and women but of all creation is established as the decisive value for civilization, as against the tendency of patriarchy to separate, divide and organise reality according to the criteria of competition and hierarchical structures.[44]

Education has been identified as the major instrument for raising the status of women. It is a key factor in creating awareness about injustice and discrimination, of unequal distribution of power between sexes and, above all, in bringing about a much needed social change. While concentrating on women's education, no secular or ecclesiastical women's group can neglect conscientisation programme for men. This is essential for helping them to undergo a change in their approach to and treatment of women. Denial of proper education as well as early marriage has prevented the development of woman's personality and her ability for self-assertion. A direct link exists among education, employment and social

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[42]Arockiasamy, "Women in Christianity," 174. See also Susanne Heine, *Women and Early Christianity: Are the Feminist Scholars Right?* London: SCM Press, 1987.

[43]'Sexism' may be defined as the economic exploitation and social domination of members of one sex by the other, especially of women by men. Fundamentally, in present context, sexism is discrimination and exploitation of women.

[44]Margaret Galiardi, "Bonding: The Critical Praxis for Feminism," *The Way* (1986), 138.

status enjoyed by women in any society. It has been noted that, traditionally, the education of women was meant to improve their role-functionality assigned by tradition, and not for assuming any social role outside the family by themselves. Thus, the absence of an economic or broader social motif is recognized as the main cause for the slow development of women's education in India.[45]

Next in importance is the networking of women's organisations. The emergence of women's groups has been one of the most significant achievements of our time. Surprisingly, as Vibhuti Patel observes, this solidarity has probably never been used systematically to examine the dependent and disempowering nature of women's lives.[46] Autonomous women's groups and organisations are in great demand, but they have to actively link themselves to the wider socio-political movement. To combat sexism, casteism and communalism, and to effectively counter the attempt of the ruling class to perpetuate the status quo, women's networks must evolve strategies to ally with other protest movements, and work in collaboration with justice-based mass organisations.

Though the Indian polity recognises equality of rights between men and women, society implicitly accepts a sharp distinction in their roles and spheres of activity. Decision-making for the community and the exercise of political power is still regarded as an almost exclusive male preserve; this is clear from the entirely male composition of the traditional *panchayats*, either of villages or of caste groups. Despite women's movements in the secular and the ecclesiastical levels, the change in attitude to women's participation in public life has been slow and uneven.

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[45]Education of women has a continued setback in the hands of various fundamentalist groups. The present-day *saffronisation* move has ominous implications particularly for women and, hence, writes Vasanta Devi, the former Vice-Chancellor of Manonmaniam Sundaranar University, Tirunelveli, Tamil Nadu: "Emphasis on Hindu fundamentalism and going back to discover our Hindu traditions would certainly push women back into a traditional role. Wherever religious fundamentalism has reared its head, there women have lost out very heavily." "Higher Education and Women: Opening a Window to Reality," *Jeevadhara* 33, 193 (January 2003), 70.

[46]Vibhuti Patel, "Emergence and Proliferation of Autonomous Women's Groups in India: 1974-1984," in Rehana Ghadially, ed., *Women in Indian Society: A Reader*, New Delhi: Sage Publications, 1988.

For, "they are related to deep-rooted prejudices about a woman's inherent aptitudes and capacities, her proper sphere of work and man-woman relationships."[47] These prejudices, which are operative also in the Church, help the clergy to maintain a system that keeps women under subjugation.

In this context, therefore, feminist theologians find no valid reason for linking ordination and decision-making power. The one who presides over at the Eucharist may not necessarily possess the gift of leadership, a fact that can be verified today. Moreover, Schillebeeckx argues that ordination was originally for the purpose of teaching and preaching, while the Eucharist offered by a man or woman in a house-church did not seem to create a problem to be discussed.[48] Yet, today it is the Eucharist that has become the monopoly of the ordained ministers in the Catholic and the Orthodox Churches, and the whole ordination debate in the Church revolves around the Eucharistic minister. According to Mary E. Hunt, ordaining a few women to join a few men who, because of their ordination, automatically possess authority and jurisdiction pales before the whole sea change needed in the models of Catholic community governance.[49]

5. Conclusion

An egalitarian society or church is possible only with the cooperation of both women and men who are committed to social justice. In order to ensure gender justice for women in the civil as well as ecclesiastical society, we propose the following:

i. Affirm the personhood of women and their right to dignified way of life as guaranteed by the Indian Constitutions.

ii. Educate women and men to acknowledge that women too are subjects of human rights, hence, deserving dignity, liberty and equal opportunity for development in all spheres of life.

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[47]Raj Pruthi and B. R. Sharma, eds., *Trends in Women Studies*, New Delhi: Anmol Publications, 1995, 146.

[48]E. Schillebeeckx, *The Church with a Human Face: A New and Expanded Theology of Ministry*, New York: Crossroad, 1985, 119.

[49]Mary E. Hunt, "'We Women are Church': Roman Catholic Women Shaping Ministries and Theologies," *Concilium* 3 (1999), 113.

iii. Conscientise people to value women's contributions in building up family, society and the nation.

iv. Initiate and promote programme for economic empowerment of women by way of self-help groups and self-employment schemes.

v. Foster political awareness and art of self-governance at the local, regional and national levels with a view to enhancing women's leadership.

vi. Organize and strengthen nationwide literacy drive among women and girls, particularly in the most backward regions of the country.

vii. Ensure that women's education is aimed at their empowerment and not at enslavement to oppressive customs and traditions which cripple their intellectual, psycho-spiritual and emotional growth.

viii. Empower women with sound knowledge in all disciplines: social, cultural, economic, political and religious, in order to effectively participate in discussions and deliberations.

ix. Initiate structural changes in the existing all-male hierarchical systems by allowing women to participate in all (including *ordained*) ministries and at all levels of decision-making within the Church.

x. Lobby for 50 percent representation of women with a *feminist vision* in parish and diocesan pastoral councils.

xi. Ensure the inclusion of competent women in the doctrinal, biblical, liturgical and other Commissions in the Church at the local, national and international levels.

xii. Make conscious efforts to replace exclusive masculine symbols and vocabulary for divine-human realities with an inclusive model capable of "breaking through narrow, rigid, and restrictive structures of the past,"[50] in moving towards an all-embracing community. Neither male nor female alone can presume to be representative of God or humanity.

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[50]S. D. Isvaradevan, "God Language and Women," in Aruna Gnandason, ed., *Towards a Theology of Humanhood: Women's Perspectives*, Delhi: ISPCK, 1986, 75. See also Pauline Chakkalakal, "Linguistic Apartheid," *Indian Currents* 14, 11 (March 17, 2002), 30-31.

xiii. De-clericalise the Church institution by de-linking authority and leadership with priesthood, thereby allowing the laity to participate in its bodies of power.

xiv. Strive for a participatory Church that is people-centred, and is open to other churches, religions, scriptures and ideologies, a Church that allows the poor and marginalized to evangelise its structures and ministries.

xv. Motivate Church leaders to be deeply involved in people's struggle, especially at the grassroots, for a just socio-economic and religio-political order.

Today, when we are faced with a polarization of two extremes – the principles of inclusion of equality and justice as enunciated by Human Rights groups and present feminist biblical and theological research, on the one hand, and the mechanisms employed by patriarchal Church and theology distancing women from men, on the other – one way of breaking down old divisions is by networking with like-minded groups and movements. It is, therefore, of vital importance to develop strategies, which help promote the acceptance of new research findings, the feminist method and the egalitarian model of Church. As a community in the discipleship of Jesus, the Church should further the partnership of women and men for the benefit of all God's people and creation.

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ISLAM, WOMEN AND GENDER JUSTICE

Asghar Ali Engineer*

1. Introduction

It is generally thought that Islam treats women unfairly and gender justice is not possible within Islamic law known as the Shari'ah law. This assertion is partly true and partly untrue: true as far as the existing Shari'ah laws are concerned; untrue, as the existing laws were codified during 2nd and 3rd centuries of Islam when general perspective of women's rights was very different from today's perspective. The Qur'anic verses which are quite fundamental to the Islamic law, were interpreted so as to be in conformity with the views about gender rights prevailing then.

2. Primacy of Scripture

It is important to note that scriptural injunctions are always mediated through prevailing social ethos. Also, it is more fundamental to framing of laws based on scriptures, as they both reflect the given situation and transcend it. There cannot be any scripture – revealed or otherwise – which is one-dimensional, i.e., it reflects only given situation. Every scripture tries to go beyond what is given and it faces stiff opposition from those who loose out if the transcendental perspectives are spelled out and enforced. The scriptures condemn prevailing social malaise and provide a new vision. Those who benefit from the new vision embrace the new faith; those who loose oppose it tooth and nail. The vested interests and those who want to perpetuate the old order, however, have their own strategies. Soon they find ways and means to hijack new religion to their own benefit. This is done in a number of ways: i) They capture political power,

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transforming religion into part of a political establishment, thus, causing the loss of its initial revolutionary thrust as it is appropriated by the ruling classes. ii) They convert religion itself into an establishment and a power structure develops around it. Religion is, then, used more for distribution of favours than for spiritual enrichment. iii) Intellectual resources are used to restore status quo and this is done chiefly by interpreting the scriptures in a way which will rob it of its transcendental thrust. Thus, a theology is developed to support and enhance the status quo. One must distinguish between original scriptural pronouncements and the theology woven around them. Scriptural pronouncements are divinely inspired and, hence, transcendental; theological formulations are human and, hence, often contradict divine intentions. Scriptural pronouncements are an option for the weaker sections whereas theological formulations are weapons in the hands of powerful interests. It is, therefore, necessary that theological formulations be continuously challenged by scriptural pronouncements. One must strive to build up a creative tension between scriptural and theological. While scripture remains immutable with its transcendental spirit, theology must change by creatively facing new challenges and newly emerging situations.

Those who oppose any change in theological formulations and Shari'ah laws are those who loose their dominant position; the priesthood that monopolises theology and religion for its own benefit is instrumental in promoting self-interest rather than spiritual source of inner enrichment. The priesthood, monopolising theology, projects it as divine and immutable. In general, a faithful's understanding of religion is mediated through the priesthood and, hence, they are made to believe that theology as formulated by them or their predecessors is divine and immutable. Any change will, therefore, amount to changing the divine will.

In Islam, it is a common belief that the Shari'ah is divine and, hence, immutable. Whenever any measures for gender justice are proposed one meets with this stock argument. It is important to note that Shari'ah, though undoubtedly based on the Holy Qur'an, is a human endeavour to understand the divine will. It is an approach to, rather than divine will itself. The priesthood, i.e., the community of 'Ulama, projects it as a divine end in itself and, therefore, refuses to admit any change. "The Shari'ah is divine" has become a commonly accepted position. Thus, what was thought of women's rights during the early period of Islamic history has

come to be the final and immutable. Even to think of interfering with the divine, much less changing it is an unpardonable sin.

As pointed out above, there is a big gap between the scriptural, i.e., the Qur'anic pronouncements, and, Shari'ah formulations. While the Qur'anic pronouncements are purely transcendental in spirit, human situations as well as human thinking on all related issues have influenced the Shari'ah formulations. Women were in subordinate position in the patriarchal societies and this subordinate relationship came to be reflected in the Shari'ah laws relating to their rights. The transcendental divine spirit was conveniently ignored and the prevailing situation was rationalised through contextual Qur'anic pronouncements. As pointed out above, there is always a creative tension between what is and what ought to be in scriptures. However, this tension is often resolved in favour of the prevalent rather than the emergent; thus, the prevalent is eternalised by rationalising certain divine pronouncements.

3. On the Methodology of Creating Islamic Legal Structure

If we want to effect necessary changes in the Shari'ah laws, it is important to understand the methodology of creating of Islamic legal structure. The Islamic legal corpus is known as Shari'ah. As Shari'ah is, after all, a human approach to divine will as reflected through the scripture, i.e., the holy Qur'an, it is not uniform but has several variants. In the Sunni Islam itself there are four different schools of jurisprudence, i.e., Hanafi, Shafi'i, Hanbali and Maliki. Besides these schools, there is what is known as the Zahiri school. There are several schools in the Shi'ah Islam as well: the Ja'fari or the Ithna 'Ashari School, the Isma'ili school and the Zaidi school.

The Sunni Islam bases Shari'ah – besides the Qur'an – on *Sunna* (i.e., the sayings and doings of the Holy Prophet), *qiyas* (analogy) and, finally, *ijma'* (consensus). However, except the Qur'an, the remaining three sources, i.e., *Sunna*, *qiyas* and *ijma'* are controversial. Some *ahadith* (sayings of the Prophet) are acceptable by some followers, while they are rejected by others. Some *ahadith* are considered weak (*da'if*), some of doubtful origin and some are outright forgeries. Also, *qiyas*, analogical reasoning varies from jurist to jurist. There is controversy about *ijma'* as well. The crucial question is whose *ijma'*? Of the jurists and the 'Ulama,

or of the entire community? Also, has *ijma'* ever been possible? Have all 'Ulama, let alone the entire community, ever developed consensus on any issue? There are hardly any instances of this nature in the history of Islamic jurisprudence. Thus, it will be seen that except the Qur'an which is divine and there are no textual differences about it, the three other fundamental sources, i.e., *Sunna*, *qiyas* and *ijma'* are human and, hence, controversial. It is also important to point out that about the Prophet's pronouncements, i.e., *ahadith* there is controversy whether they are considered as divine or human. The *Ahl-e-Hadith* (i.e., the followers of Hadith) consider *hadith* as divine like the Qur'an while many others do not give it that status and consider it as human and, hence, not eternal.

The Shi'i jurisprudence (Shari'ah) is based on the Qur'an and the pronouncements of the Prophet as reported by Imams, i.e., the male descendants of the Prophet's daughter Hazrat Fatima and her husband 'Ali. The Qur'an as interpreted by these Imams is considered as the only right interpretation, every other interpretation is considered mere conjecture or opinion (*ra'i*). *Tafsir bi'r ra'i* (i.e., Qur'anic interpretation or exegesis through human opinion) is rejected outright in the Shi'ah Islam. There is, however, controversy in the Shi'ah Islam as to who is rightfully appointed Imam. The Ithna 'Asharis (twelvers), the Isma'ilis (also referred to as seveners), Zaidis, the Qaramitas and the Alavids, all mutually differ on this issue. All these sects have Imams of their own and consider others as not rightfully appointed and, hence, have no legitimacy. Also, the juridical pronouncements of these Imams differ from each other even on matters of principles, at times.

The Qur'an, being divine, does not differ and is immutable. It admits of no change. However, its interpretations differ from sect to sect and from one school to the other. Thus the Qur'an is divine and its interpretations are human and what is human admits of change. Thus, had it been immutable the Shari'ah would not have differed from one school to the other and from sect to sect. The Shari'ah, being based on human interpretations of the divine word, can, and does admit change. What was thought to be just in respect of women's rights in medieval ages, is no longer so. The idea of justice also changes with changing consciousness and what is just in one age may not necessarily be just in the other. It is, in fact, a very important aspect as far as the Qur'anic concept of law is concerned.

4. Sources of Shari'ah Law

One of the important sources of the Shari'ah law is *hadith* or *Sunna*. As pointed out above, this, too, is not above controversy. There are two types of controversies about this seminal source of Islamic law: i) whether *hadith* is divine or human, and ii) whether it is authentic, weak or forged. The Qur'an is unanimously accepted as divine and there is no controversy about it; so also, its content is accepted with unanimity. No one maintains that this or that verse of the Qur'an is unauthentic, or added later, or of doubtful origin. It is, however, not so as far as *hadith* literature is concerned. There are several *ahadith* which are controversial. Either they are considered of doubtful origin, weak or outright forgery. It is said that Imam Abu Hanifa, the founder of the Hanafi School of law, accepted only 17 *ahadith* as true and authentic and yet he used many more while giving his juridical opinions.

There are Muslims who maintain that *ahadith* are divine like the Qur'an. They believe that the Qur'anic verse "Nor does he speak out of desire. It is naught but revelation that is revealed" (53:3-4) applies to the Prophet's all pronouncements including his *ahadith*. These Muslims believe that *ahadith* too, are divine and, hence, above any human controversy. Thus, this source of Shari'ah also becomes equally divine for them. However, there is no unanimity about it. Not only that *hadith* is not believed to be divine by large sections of Muslims, it is not above controversy as to its origin. Imam Bukhari, one of the greatest collectors of *ahadith*, is said to have collected more than six hundred thousand *ahadith* of which he accepted only four thousand and rejected others as of doubtful origin or outright forgeries. This, therefore, according to Imam Bukhari, clearly shows how some interested people were producing *hadith* literature to serve their ends. Unfortunately, many of these *ahadith* went into juridical formulations, in general, and about women, in particular. These formulations reflect the prejudices and dominant thinking of the time rather than the Qur'anic principles. These formulations, therefore, cannot be treated above change.

There is yet another problem about *hadith* literature. This problem remains, even if *hadith* literature is treated as divine and immutable. The Qur'an which is unanimously held to be divine by all Muslims contain many pronouncements which are directly related to the then prevailing Arab social structure. These pronouncements also reflect the social norms

or social problems, as they existed in those times. These pronouncements cannot be of universal application in other societies and cultures. We would like to cite examples. There was a practice called *Zihar* among Arabs. It is mentioned in 33:4 and 58:2-3. It was a practice among Arabs to declare their wives like their mothers and abandon them. Thus, in verse 33:4 the Qur'an says, "Allah has not made for any man two hearts within him; nor has He made your wives whom you desert by *Zihar*, your mothers..." Edward William Lane defines *Zihar* in his Arabic-English Lexicon as husband telling his wife thou art to me as the back of my mother. In verse 2 of Chapter 58 the Qur'an says: "Those of you who put away their wives by calling them their mothers – they are not their mothers. None are their mothers save those who give them birth, and they utter indeed a hateful word and a lie..." In verse 3 of the same chapter it is said: "And those who put away their wives by calling them their mothers, then go back on that which they said, must free a captive before they touch one another. To this you are exhorted..."

From the above two verses we come to know that Arabs used to desert their wives calling them like the back of their mothers and some used to go back on that vow and would like to touch their wives again. The Qur'an prescribed that they free a captive (i.e., a slave) before breaking their vow. Now this practice was unique to the Arab society of that time; we do not find such practices in other societies. Also, today there is no institution of slavery; it has already been abolished. If an Arab today pronounces *Zihar* on his wife and wants to take back his vow there are no slaves available to free. Thus, such verses in the Qur'an should be treated as contextual, i.e., revealed in the context of that society and are no more valid as social practices have changed. Similarly, the institution of slavery is no more. There are several pronouncements about slaves and slavery in the holy Qur'an but they are no longer applicable as the institution itself does not exist any more. In Shari'ah as formulated in the 2nd and 3rd century Hijrah (Islamic Calendar), however, these practices prevailed and, hence, elaborate laws were made by the jurists based on Qur'an or *hadith*. In the given historical context of the contemporary society, they are totally irrelevant today. Thus, the proposition that Shari'ah laws are immutable is not maintainable.

The Qur'anic verses, thus, should be divided into two categories: i) contextual, and ii) normative. The normative pronouncements of the

Qur'an are eternal and while re-thinking issues in Islamic Shari'ah, particularly pertaining to women's rights, the normative pronouncements will have precedence over the contextual. During the early centuries, however, contextual often had precedence over normative and such a practice was quite 'normal'; hence, these formulations became widely acceptable in that society. These laws were thought to be normative and, hence, struck deeper roots in society as well as in the hearts and minds of the people as well and acquired an immutable status with the passage of time.

Thus, even if *hadith* is accepted as divine, its contextuality will have to be kept in mind. It is also said, and rightly so, that the Prophet explained the Qur'anic verses through his words and deeds and none knew the meaning and import of the Qur'anic verses better than the Prophet himself. Quite true. However, the question of contextuality remains. The holy Prophet, while dealing with the given society, could not have gone beyond its context in explaining and practising the Qur'anic pronouncements. Again, it can best be illustrated with an example of women's status in that society. While explaining the cause of revelation of the Qur'anic verse 4:34, all classical commentators like Tabari, Fakhruddin Razi and others maintain that the Prophet allowed a woman (daughter of his companion) right to retaliate against her husband who had unjustly slapped her but, in view of the prevailing social ethos it laid to unrest among the men and Qur'an reversed the Prophet's decision. This, once again, shows that the question of contextuality is very important and highly relevant in all judicial pronouncements be they those of the Prophet or other Islamic jurists.

Another example in this respect is that of *milk-e-yamin*, i.e., legitimising sexual relations with a slave girl. There is near unanimity among the Islamic jurists that it is permissible to have sexual relations with slave girls and that the Prophet himself had such relations with a Coptic Christian slave girl. The modernists and some other commentators, of course, challenge this formulation and maintain that the Prophet had married her. Maulana Maududi, one of the contemporary Islamic thinkers and founder of the Jam'at-e-Islami, however, maintains in his commentary on the Qur'an (*Tafhim al Qur'an*) that the Prophet had relations with the slave girl without marrying her. Most of the eminent medieval jurists concur with this. If this view that sexual relations with a slave girl is

permissible were accepted, the contemporary society would not approve of it. Thus, the Prophet's *Sunna* cannot be seen out of its social context.

5. Differentiating the Essential and the Contextual

There were four great jurists in Sunni Islam who founded four different schools of jurisprudence. All four differ from each other on many issues. Much has been written on causes of these differences. The modern scholars, however, maintain that one important reason was their differing social situations. Imam Hanbal and Imam Malik lived in Medina and, thus, were quite close to the social ethos of that society in which the Prophet himself lived. They were closer in their juridical formulations to what the Prophet said and did in that society. Imam Shafi'i and Imam Abu Hanifa, on the other, lived in Egypt and Iraq, respectively, which were confluences of many cultures and, thus, were unorthodox in their methodology in arriving at juridical opinions. While Imam Malik and Hanbal mainly relied on *Hadith*, Imam Sahfi'i and Abu Hanifa used *qiyas* and *ijma'* more liberally, apart from *Hadith*. Thus, while the former two Imams' formulations were closer to Arab practices in Mecca and Medina, the latter two Imam's formulations had been largely influenced by other practices as well. This clearly shows that Shari'ah is influenced by human situations and can incorporate situational changes. The Arab *'adat* (the Arab customary law) also became an integral part of the Shari'ah law. Thus, the then prevailing opinions about women in the Arab society greatly influenced the Shari'ah laws pertaining to women. The Arab *'adat* cannot certainly be considered divine injunctions and, hence, immutable. In fact, the Arab *'adat* had great relevance as long as Islam was confined to the Arab society. However, once it spread out to far off areas, the need to incorporate other practices also became equally important. Thus, finally, the changed consciousness about women's rights can also not be ignored.

There is yet another problem about the *hadith* literature which is, as pointed out above, an important ingredient of Shari'ah. The *ahadith* were generally reported by the Prophet's companions. In this respect even the most authentically reported *ahadith* present different kinds of problems. Firstly, most of the *ahadith* reported by the companions were not the exact words of the Prophet but the overall meaning of what he had said. There are hardly few *ahadith* which can be said to be the exact words of the

Prophet. Secondly, the *hadith* literature also incorporates the reports about what the companions saw the Prophet doing. Thus, the Prophetic *Sunna* includes both what the Prophet said as well as reports about what he did in different situations.

Now among the Prophet's companions there were all kinds of people. There were companions who had sharp memory, good understanding and comprehension of the problems. There were companions who had very poor understanding of the complex issues as well as who had poor memory. There were companions who spent several years with the Prophet and there were companions who spent only a few hours with him, apart from even those who saw and heard him from a distance. All that these companions reported having heard from the Prophet became part of *hadith* corpus, which then was used for formulating Shari'ah laws.

There is yet another problem. The *ahadith* have been reported by people who heard it from the companions of the companions (*tab'i tabi'in*) and from companions of the companions of the companions of the Prophet. Thus, there is a whole chain of narrators known as *rijal* (the narrating men or women). The collectors of *ahadith* did try to develop the science of *rijal* (i.e., *'ilm al-rijal*) criteria to judge the honesty and integrity of the narrators. This criterion, however, judged only the honesty and integrity of the narrators rather than his or her understanding, comprehension or/and intelligence. Moreover, there were often missing links. Further, there are cases wherein much was not known about one or more of the narrators in the chain. Many narrators were of totally different cultural backgrounds – some narrators being Arabs and others non-Arabs not properly acquainted with the Arab affairs. Also, many narrators had their own biases for or against women (also about other matters) and these biases definitely affected their narrative or reports.

It was for this reason that the Prophet had strictly forbidden his followers from compiling his sayings. He knew very well that his sayings might not be reported faithfully to future generations for various reasons. Also, he was fully aware of the fact that the future generations will insist on strictly following what reaches them as the sayings of Allah's Messenger though they may be facing different circumstances. Even the first Caliph Hazrat Abu Bakr did not permit compilation of *ahadith* for similar reasons. Still people did compile these *ahadith* though much later.

By the time they were compiled, spurious ones had mixed up with authentic ones, identifying one from the other, however, being too difficult.

Thus, it will be seen that *hadith* literature, even if entirely authentic, presents several problems. First of all, it cannot be considered a highly reliable source of Islamic legislation. The Islamic *juris corpus*, however, is as much based on the problematic *hadith* literature as on the holy Qur'an. Still the 'Ulama project it as unquestionable divine and, hence, immutable. They refuse to admit any change even though sweeping changes are taking place in the social, cultural, economic and political circumstances. The doctrine of *taqlid* (mechanical imitation) is emphasised by the contemporary jurists in the world of Islam. They maintain that rethinking about the formulations of the great Imams is not permissible. In fact, these formulations are treated as divine. Also, most of the 'Ulama do not even permit taking more favourable provisions for women from other schools of law. They insist that any one school should be followed in its entirety. Some 'Ulama of course permit such an approach. But they are fewer in numbers. Now more and more 'Ulama are coming around to permitting this approach which has given some relief to women. The Ottoman rulers had adopted this approach in the nineteenth century itself, although it is not yet widely accepted. In fact, *Taqlid* is the generally established rule.

It is causing a great deal of hardships to Muslim women everywhere. The holy Prophet had anticipated the problems which will arise in future. He took care to leave some guidance in this respect. Firstly, he encouraged what is known as *ijtihad* (i.e., exerting oneself to solve newly arising problems if no precise guidance were available in the Qur'an and Prophet's Sunnah). The *hadith* regarding *Ma'adh bin Jabal* is well known about this. When the Prophet appointed Ma'adh as governor of the Yemen, he asked him how would he govern. According to the Qur'an, Ma'adh replied. If it were not found in the Qur'an? the Prophet asked him. According to the Prophet's Sunnah, replied Ma'adh. Then, if he did not find anything of the sort in the Sunnah also? the Prophet inquired. Then I would exert myself to solve the problem (*Ana ajtahedo*). The Prophet patted his back in approval. Also, the Prophet is reported to have said that even if one makes a mistake in doing *ijtihad* he or she would earn one merit and if one does not err would earn two merits. The Prophet did this

to encourage Muslims to solve problems which were likely to arise in the future.

From this above mentioned situation, many modernists argue that one must resort to *ijtihad* to solve new problems and issues including women's issues. However, the orthodox 'Ulama argue that the gates of *ijtihad* were closed long ago and also that now there are no qualified persons to do *ijtihad*. They feel the great Imams and some of their followers had the requisite qualification and none today has such impressive merits. Some 'Ulama do feel the need for *ijtihad* but they too stop short of resorting to it for fear of consequences. Some who did do otherwise, faced the wrath of the fellow jurists and even ostracised. The debate is raging in the Islamic world for and against *ijtihad*. When it comes to women's issues and rights, the resistance to change and rethink is much greater in the male-dominated Islamic world.

Muhammad Iqbal, a noted Urdu poet and thinker from India (d.1938) was greatly in favour of *ijtihad*. He wrote in his *Reconstruction of Religious Thought in Islam*:

> The ultimate spiritual basis of all life, as conceived by Islam, is eternal and reveals itself in variety and change. A society based on such a conception of Reality must reconcile, in its life, the categories of permanence and change. But eternal principles when they are understood to exclude all possibilities of change which, according to the Qur'an, is one of the greatest 'signs' of God, tend to immobilise what is essentially mobile in its nature.[1]

Iqbal continues in the above book very boldly:

> The only alternative open to us, then, is to tear off from Islam the hard crust which has immobilised an essentially dynamic outlook on life, and to rediscover the original verities of freedom, equality, and solidarity with a view to rebuild our moral, social and political ideas out of their original simplicity and universality.[2]

Iqbal, thus, maintains that *ijtihad* is necessary to rebuild the law of Shari'ah in the light of modern thought and experience.

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[1]Muhammad Iqbal, *Reconstruction of Religious Thought in Islam*, New Delhi: Kitab Bhavan, 1984, 147-148.

[2]Iqbal, *Reconstruction of Religious Thought in Islam*, 156.

Ijtihad, I would like to emphasise here, is even more necessary today in respect of Shari'ah laws pertaining to women. It is highly regrettable that the Shari'ah law is almost inoperative in many other respects (like property and contract laws, criminal laws, financial transactions, etc.), though when it comes to women's issues, the Shari'ah laws are sought to be strictly applied. In several Muslim majority and minority countries modern secular laws are applied in respect of all other things except laws pertaining to marriage, divorce, maintenance, inheritance, etc., i.e., in the sphere of what is called personal laws. The greatest resistance, in the name of Shari'ah, is manifested by men when it comes to according better status to women. In this respect the Shari'ah becomes sacred and immutable and arouses great passions. The Islamic world, if it has to understand the dynamic spirit of Qur'an, and enact it in real life, will have to enact changes in the Shari'ah laws and accord women an equal status. In fact, time has come to put the Qur'anic vision of gender equality in practice.

As pointed out earlier there are verses in the Qur'an which have contextual significance. These verses formed the legal foundations of Islamic law in a previous era. These were, however, not the verses having impress of permanence and principles. There are certainly the verses that lay down eternal and universal norms and principles, and the Islamic legislation should necessarily be based on such verses. Before we examine these verses, we would like to set out certain values which are fundamental to the Islamic teachings. Any legislation which ignores these fundamental values could be anything but Islamic. It is necessary to understand that the classical jurists though did not ignore these fundamental values but the application of these values was constrained by the social ethos of the age. The Prophet's traditions also had to take these constraints into account.

6. Re-interpreting the Qur'anic Notion of Justice

The most fundamental values in Islam, as expounded by the Qur'an are justice, benevolence and compassion. The Qur'anic expression for these values is '*adl*, *ihsan* and *rahmah*. The Qur'an talks of these values in imperative categories. The Qur'anic verse 16:90 testifies to this: And surely Allah enjoins justice and benevolence (to others). Thus, it will be seen that justice is very central to the Islamic value system – as central as

love to the Christian ethics. No legislation in Islam which ignores this value can be valid.

It is this concern for justice that makes the Qur'an show deep concern for the weaker sections of society. Thus, we find the verse 28:5 expressing this concern: "And We desire to bestow a favour upon those who were deemed weak in the land, and to make them the leaders, and to make them the heirs." The Qur'an desires to bestow the mantle of leadership of this earth upon the weak. The Islamic jurisprudence has to imbibe this spirit towards the weaker sections of society. Women certainly belong to this category as far as any patriarchal society is concerned.

It is important to note that the values like justice and compassion cannot be applied independent of the age. In the medieval period the understanding of the concept of justice was very different from what it is today. Our era is a democratic era and justice in our era cannot be deemed to have been done if equality of all humans irrespective of sex, race and creed, is not ensured. Discrimination between one and the other human being on any ground, including those based on gender differences, will be unjust. In medieval ages, however, these discriminations were thought to be quite natural and non-violative of the concept of justice. Even slavery was thought to be natural and in keeping with the principles of justice. In fact, if a slave ran away from the master it was thought to be an unjust act. Today, let alone slavery, even bonded labour or child labour is considered as grossly violative of justice. Thus, the concept of justice greatly varies in a democratic era from that of feudal ones. Yet justice remains an important value in both the ages. The expression of the concept of justice in a particular era is not fundamental but justice *per se* is. However, religious traditions, including those of Islam, give more importance to the expression of justice in a particular age than to the notion of justice itself. It is because of this that the expression of justice in the *hadith* literature is more important than the notion of justice as a fundamental value in the Qur'an. What was thought to be just during the classical period of Islam is thought to be just even today. Not only that the orthodox think the expression of justice today is violative of divine will; it is this attitude that impedes change in Islamic legislation so as to accord women equality with men.

However, one finds in the Qur'an full support for gender equality in several verses. The Qur'an was certainly mindful of what was just in that

era when it was revealed and what ought to be just in the transcendental sense. When the Prophet permitted a Muslim wife retaliation against her husband as a measure of justice, the Qur'an overruled him and permitted a measure of conditional male domination, though conditionality of justice was stipulated (see the verse 4:34). It would have been thought to be unjust if the Qur'an had permitted wife to retaliate against her husband and it would not have found acceptability in that society.

However, the Qur'an also did not intend to eternalise the then acceptable notion of justice. The dynamics of 'is' and 'ought', or interaction between history and eternity informs the whole spirit of Qur'an. Unfortunately, the orthodox miss this very spirit while reading the Qur'an from their own perspective. The verse 33:35 is much more fundamental in this respect as it clearly accords women equality with men in all respects. While 4:34 is informed by the spirit of that era, the verse 33:34 deals with the eternal dimension. The orthodox, however, do not wish to go beyond the divine injunction expressed in 4:34. They have frozen their minds in the classical age of Islam. What was temporal has become permanent for them and what is permanent is just brushed aside as of no consequence.

7. Qur'an Reinstates Justice to Women

The Qur'an must be reread and reinterpreted in today's context as the classical jurists read and interpreted it in their own context. No reformation is possible without such rereading and reinterpreting the Qur'anic verses. The real intention of the Qur'an, especially that of sexual equality, becomes obvious through several verses. Those verses need to be re-emphasised. The verse 2:228 ("And women have rights similar to those against them in a just manner") is quite definitive in this respect. It hardly needs any comment. While commenting on the above verse, Maulana Muhammad Ali, a noted Pakistani commentator says:

> The rights of women against their husbands are here stated to be similar to those which the husbands have against their wives. The statement must, no doubt, have caused a stir in a society which never recognised any rights for the woman. The change in this respect was really a revolutionising one, for the Arabs hitherto regarded women as mere chattels. Women were given a position equal in all respects

> to that of men, for they were declared to have rights similar to those which were exercised against them. This declaration brought about a revolution not only in Arabia but also in the whole world, for any nation or any reformer never previously recognized the equality of rights of women with those of men. The woman could no longer be discarded at the will of her 'lord', but she could either claim equality as a wife or demand a divorce.[3]

However, much of this spirit of justice and equality was lost when the Islamic doctors legislated under the influence of their own social ethos. The Qur'anic categorical imperatives were ignored, as pointed out before, in favour of those verses which were of the nature of concession to the age. There are many instances of this, like polygamy. Firstly, it was a permissive measure in some circumstances (large number of war widows and orphans to be taken care of as many men perished fighting in the battle of Uhud) with great emphasis on justice to all the wives (their number not exceeding four). It was a great advance over the pre-Islamic practice of marrying unlimited number of women without any obligation towards them.

Secondly, the verse on polygamy (4:3) is preceded by the verse 4:1 which emphasises sexual equality in the words that "Lord Who created you from a single being (*min nafsin wahidatin*) and created its mate of the same [kind] and spread from these two many men and women...," and the verse 4:2 which talks of justice for orphans and widows. Then, polygamy is permitted provided one marries widows and orphans (and not any woman); moreover, justice with all wives is a must failing which one must marry only one. No one before had insisted on such conditionalities for plurality of wives.

Thirdly, the verse 4:129 states that even if you desire you cannot do justice between wives and ends by saying that do not leave the one with total disinclination and incline towards the other leaving the first in suspense. If the verses 4:3 and 4:129 are read together polygamy is as good as not permissible. The jurists, however, in order to avoid implications of reading the two verses together invented various explanations and took resort of *hadith* to keep the possibility of polygamy open. Much worse still, in practising it, conditionality for justice was

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[3]Maulana Muhammad Ali, 1973, 97.

hardly enforced. In today's conditions polygamy should be done away with in order to implement the Qur'anic conditionality. Abolition of polygamy will serve the end of justice far better than its practice today. The arguments such as men are more sexual, there are more women than men and it will be better to permit polygamous marriages to avoid immoral relations, etc., are all attempts at human rationalisation than divine intention. These arguments do not hold much water, as there may be excess of women over men in one country and excess of men over women in another. Further, prostitution and immoral sex thrived even when men could marry any number of wives and also keep slave girls without limit.

Also, normatively speaking, the Qur'an has conceded all rights to women which were available earlier only to men. She could exercise her right to divorce her husband as men could divorce her at will. The Prophet permitted a woman called Jamila to divorce her husband – against his will and without consulting him – just because she did not approve of his looks. While the verse 2:229 permits her to liberate herself from an unsatisfactory marriage by suitable compensation to her husband (i.e., returning the dower amount), the verse 4:35 gives her right to appoint an arbiter of her own to settle the marital dispute, or else agree to a divorce. Also, the Qur'an requires of men to keep their wives in good manner and to leave them, if necessary, in a benevolent manner. The verse 4:19 lays down that women could not be inherited or taken as wives against their will. Men are also exhorted in this verse not to take a portion of what they have given to their wives and to treat them kindly. It was also emphasised in 9:71 that believing men and believing women are each other's friends and they (both men and women) enjoin good and forbid evil. Thus, both enjoy equal obligations and from this verse jurists like Abu Hanifa have concluded that a woman can become *Qadi*, i.e., judge as it is her obligation to enjoin good and forbid evil.

It is argued from verse 4:11 that a daughter inherits half that of a son and, hence, man is superior. Some modernists also argue on the basis of this verse that it is injustice to a daughter as she has been given half that of a son and, hence, it perpetuates a bias against female sex. It is simply not true. From one perspective one can say it was a cautious reform in favour of daughters. In pre-Islamic society daughters did not inherit at all and now they were given right to inherit half that of a son. From another perspective it could be argued that it was not bias against daughter that

they were given half that of son but daughters were duly compensated by *mehr* (dower amount at the time of marriage) whereas sons had to loose out by paying dower to their wives. The wives did not have to spend anything by way of maintenance as the husbands were enjoined to maintain their wives. Also, a woman inherited as a wife and mother too. Moreover, she did not contribute to family wealth in those days by way of earning but now she does and her portion could be increased in view of the changed conditions. Thus, the Qur'an has done no injustice to her in matters of inheritance.

Another question is of *hijab* (veil). There is no injunction in the Qur'an that she veils her face. The verse 24:31 only lays down that women should not display their adornment and fineries publicly and that they should cover their breasts (tribal women in those days used to leave their breasts uncovered) and that they should not strike their feet with anklets in public so as to draw attention to their adornments. In another passage both men and women have been asked to lower their gaze (4:30-31) and to restrain their sexual passions. As for what constitutes adornment, what should be displayed and what should be not, there are sharp differences of opinion. These differences are human and every commentator has his views. But Tabari, the noted classical commentator, has summarised the views of many eminent jurists in his *Jami' al-Bayan*. According to him, adornment means, i) adornment of dress or the clothes that a woman wears; in other words, she is not required to cover the clothes she wears; ii) it means the adornment which the woman is not required to cover, such as collyrium, rings, bracelets and her face; and iii) the exception (*illa ma zahara minha*) relates to a woman's clothing and her face.

These were opinions of the theologians of those days. Today the sensibilities in this respect are very different and the scope of the exception can be made much wider subject to – and that is real intention behind it – restraining sexual passion and protecting one's chastity. To prevent extra-marital sex is the responsibility of both men and women and not of women alone, as per the Qur'an. Also, both should avoid wearing sexually stimulating dress.; they should wear dignified dress. Covering of face by women is not required in the Qur'an at all. It was a cultural practice of some post-Islamic societies. The Qur'an also does not require women to be confined to homes. On the contrary, they could earn and what they earned was their own as per verse 4:32. The cultural practices like confining

women to home were sought to be legitimised later by inventing suitable *ahadith* or by far fetched interpretations of the Qur'an.

8. Conclusion

In conclusion it should be said that if one goes by those verses of the Qur'an which belong to the normative category or which are of the nature of laying down principles and givers of value, men and women should enjoy equal rights in every respect. It would be necessary to re-read and re-interpret many verses which were used for centuries to subjugate women in Muslim societies. This subjugation was more cultural and patriarchal than Islamic or Qur'anic. The whole *corpus juris* of Islam relating to women needs to be seriously re-thought on the basis of Qur'an.

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WOMEN IN GERMAN CHURCHES AND SOCIETY

Barbara Bagorski[♦]

1. Introduction

In 1981 the German Bishops' Conference published a paper on the role of women in church and society. In this paper they stated that the church should be a model of the partnership between women and men. This was indented to remind the church and its members about their responsibility and to challenge them to assume their responsibility in concrete issues. However, it seems to be a vision church itself has theoretically formulated with sufficient theological background, though it still remains an ideal the realization of which is yet to be achieved.

In order to clarify the process that leads to this divide I want to describe briefly the situation of women in society. Then, I shall discuss women's relationship towards religion in general and towards the Church, in particular. Finally, I propose to list up a few subjects that are of common interest to women in Germany irrespective of denominational affiliations.

2. Women in Society

In Germany there exists side by side a multiplicity of ideas about what women should be like in involving and interacting within the societal life. However, it must be said that the traditional view which reduces women to the famous "three K's" – *Kinder*, *Küche*, *Kirche* (children,

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kitchen/household work, church) – is still prevalent.[1] According to this view, motherhood is a woman's first duty. She is responsible for the happy and contented life of the family. Women's work is seen as a necessary evil save social work which is held to be a woman's vocation.

This patriarchal view still holds prevalence, though very often subliminally, with men and women especially in the rural parts of the country.[2] Diametrically opposed to this is the feminist view of the emancipated woman. The women who support this view can't identify with the traditional picture of women handed down through the centuries and still – as they see it – upheld by the church.[3] However, there are first signs that this feminist view which starts out from the idea of "gender" instead of "sex" is becoming more widely accepted throughout the society.[4]

Modern women today have, at least theoretically, the possibility to choose their own way of life. Young women have received better and higher education. Opportunities for higher education, career, and the ensuing independence infuse among women more confidence, which, in turn, make them independent in their thinking as well. However, despite

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[1]"Die Repräsentativumfrage "Gleichberechtigung von Frauen und Männern" des Instituts für praxisorientierte Sozialforschung (ipos) von 1992 sowie deren Fortschreibungen von 1994 und 1996 machen deutlich, dass die traditionelle Aufgabenverteiung noch fest verankert ist und sich nur langsam ändert. Unabhängig von der Berufstätigkeit wird die Hausarbeit auch 1996 zum größten Teil von Frauen erledigt. Bundesministerium für Familie, Senioren, Frauen und Jugend, Frauen in der Bundesrepublik Deutschland, Bonn 1998, 96; hereinafter referred to as BMFSFJ.

[2]BMFSFJ, 97.

[3]"45% aller Katholikinnen ... vermuten bei der Kirche ein bestimmtes, festgefügtes Frauenbild, das die eindimensional, aufopfernde, sich dem Mann unterordnende Frau zum Leitbild erklärt." Sekretariat der Deutschen Bischofskonferenz, *Frauen und Kirche: Eine Repräsentativbefragung von Katholikinnen im Auftrag des Sekretariats der Deutschen Bischofskonferenz durchgeführt vom Institut für Demoskopie Allensbach*, Bonn, 1993, 97. Hereinafter referred to as FK.

[4]According to new studies, only 5% of the Germans no longer agree – at least theoretically – to the traditional view which restricts women exclusively to family duties. Zulehner P. M. and R. Volz, *Männer im Aufbruch: Wie Deutschlands Männer sich selbst und wie Frauen sie sehen, Forschungsbericht*, Ostfildern: Schwabenverlag, 1999, 145.

being highly qualified women are not on an equal standing with men when it comes to job access, payment or promotion because of the prevalence of a traditional gender-biased view on women. Since most of the industry and business are still male-oriented many women take up jobs as social workers or primary school teachers or are employed by firms very often as members of the junior staff or the lower ranks of the senior staff. Only very rarely do they rise to a leading position. There are only a few firm managers, only a handful of leading female politicians, and only a very small percentage of female professors at the universities.

In total it can be said that women's positions are marked by them holding administrative positions, barely enabling and involving them in the actual decision making processes. It is, however, also important to acknowledge that women, for unknown reasons, often do not support enough those who are working for women's issues. In Germany there are ample occasions and challenging opportunities for women, though most of them are often neglected.

Comparatively, more women are hit by unemployment than men. The traditional view holds that it is man who supports the family and, hence, women are more likely to loose their job in the case of a recession and less likely to find new employment than men.[5] Elderly women face the danger of the poverty trap. For, it is usually the woman in the family who takes maternity leaves and later works only part-time. So too, women's pensions often are far below the pension benefits men receive.[6] Other social groups that are likely to be hit by poverty are single mothers and families with more than two children.[7]

Though unfortunate, it must be stated that there is a rise in domestic violence which hits women of all classes. One reason among many others for this is the fact that many men find it hard to adapt to and to accept women's newfound independence and confidence.[8] Many women – and

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[5]BMFSFJ, 70-75, Zulehner and Volz, *Männer im Aufbruch*, 97.

[6]BMFSFJ, 131-135.

[7]BMFSFJ, 104-106.

[8]Zulehner and Volz, *Männer im Aufbruch*,199f.

even girls – are also to a great extent confronted with rape, sexual harassment and sexual exploitation like forced prostitution.[9]

During the last four years the women's commission of the German Bishop's Conference is working on initiating a change in the attitude towards women and to enforce awareness programs to enable both women and men to discuss topics like domestic violence, and to encourage and enforce better participation of women in decision making processes.

3. Women's Changing Relationship Toward Religion

There are many women who are very active in their parishes doing honorary work. Research has found out that the women who take an active part in their parishes' church life are also interested above average in politics and very active in this field. They realise that it is important to have a vision supported by the gospel and to bring it into society and leadership.

As far as their relationship towards religion is concerned, it must be stated that women tend to break with the Church without, however, giving up their faith. These women are searching for ways to re-organise the Church and to find their own ways for expressing their personal faith. They form small groups and movement where they can do what they are officially not allowed to do. This gradually leads up to a split in the German Church. Women take the decision to break with the Church consciously and deliberately and search for new and integral ways to live the Gospel.[10] Women of all ages refuse to accept any longer a solely male-shaped picture of God. In their opinion this male-shaped picture is one reason for the patriarchal hierarchy of the Church and society in general.[11] On the other hand, many women decide to stay in the traditional way of the church and to meaningfully participate in parish life as well.

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[9]For further information see, Wetzels P. and Pfeiffer Chr., "*Sexuelle Gewalt gegen Frauen im öffentlichen und privaten Raum*," *Bundesministerium für Familie, Senioren, Frauen und Gesundheit* 48 (1995).

[10]Becker S. and Nord, J., ed., *Religiöse Sozialisation von Mädchen und Frauen*, Stuttgart: Kohlhammer-Verlag, 1995, 133-196.

[11]For further reading see BØrresen K. E., ed., *Image of God and Gender Models in Judaeo-Christian Tradition*, Oslo, 1991.

In their search for new ways to live the Gospel women draw their inspiration and find support in the ideas of feminist theology. Especially those women who are active in small groups discover feminist theology and feminist exegesis interesting. Many women complain about being kept ignorant about those aspects of theology because not many from the so-called official church deal with these ideas. Although many innovative projects have been started at German colleges and universities,[12] feminist theology has not yet found its way into university curriculum and there is no department of Feminist Theology at Germans universities. Also it is admitted that feminist theology adversely affects many theologically trained women who aspire to become professors for theology at universities in Germany.

4. Relationship of Women Towards the Church

Discriminating opinions of women towards religion and the church also show themselves in the fact that a growing number of women of all ages, even elderly women, leave the Church or, at least, do not attend services any more. The number of women for whom the Christian religion is of existential importance is steadily decreasing. One reason for this is the Church's inability to adapt to and accept the reality of changing life-styles, views and ideas.[13] Therefore, women distance and dissociate themselves from the Church. They search for new ways to express their Christian faith and to live their spirituality[14] and, thus, to build up the so-called "women church."[15] It is women who want a Church where men and women co-operate closely in search of new forms of spirituality, religiousness and for novel ways of re-organizing the Church. They want a Church that accepts women and men as individual beings whereby both women and men are enabled to exercise influence on the decision-making procedures. They want a Church where women and men work closely together; a Church

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[12]See Meyer-Wilmes H., *Zwischen lila und lavendel*, Regensburg: Pustet-Verlag, 1996, 53-74.

[13]FK, 102.

[14]See Hintersberger B., "*Elemente und Strukturformen weiblicher Spiritualität*," Langer, M. ed., *Weil Gott nicht nur zu Mose sprach*, Innsbruck: Frauen nehmen Stellung, Tyrolia, 1996, 119–129.

[15]See Meyer-Wilmes, *Zwischen lila und lavendel*, 141-146.

that takes their proposals for re-organization and a structure that is less hierarchical and seriously involves them to a higher degree. It is particularly women who promote the idea of gender awareness, and it is to be accorded proper consideration and value.[16]

As they are breaking loose from the Church, women take an active part in their parishes' life, and fight – often without support from outside women's groups – for women's concerns. These women do not necessarily hold with feminist ideas, on the contrary, many of these women favour the traditional view. The clash of these different views often leads to tensions within the parish.[17] The Church welcomes women as parish-workers, religious education teachers, social workers and staff members on social service projects. It is true that women's services, their qualifications and commitment are highly respected and appreciated. Yet only very few women attain a leading position in their field of work.

There is a wide discrepancy between these women's opinions towards the Church and the joy and contentment they experience in their work. They state their hopeful impressions that the Church might change her traditional views and become interested in women's concerns.[18] On the other hand, women regret their lack of empowerment. They, however, go on hoping that the Church might one day lend an open ear to their concerns and welcome them with open arms as equals. In short, these women love the Church but they also suffer because of the Church.

5. Women Across Denominational Ties

Today there is an increasing number of women's activities in Germany and of subjects that are of common interest to women across denominational ties. Women of various church communities have started

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[16]See Spendel St., "*Frauen in der Kirche: Frauen in der Gemeinde*," Langer M. ed., *Weil Gott nicht nur zu Mose sprach*, Innsbruck: Frauen nehmen Stellung, Tyrolia, 1996,138-143.

[17]Bühler M., *Frauen-Kirche-Ehrenamt, Entwicklungen und Perspektiven*, Düsseldorf: Klens-Verlag, 1995, 67-76.

[18]FK, 151.

building up networks[19] with the aim of furthering the development of a feminine political spirituality.[20] They also discuss converse questions as, for example, the problem of the Church's norms of family and sexuality, the question as to whether or not to acknowledge new and differing life-styles. These discussions can, probably, lead to a clash with the opinions of the church officials.[21] Other topics that are taken up by these networks are: poverty, the responsibility towards the creation, globalisation and the consequences it carries for women.

Women also discuss the question as to whether women should be allowed to become deacons. They see the female deaconate as a chance for the Church to fulfil and extend her welfare and social work.[22] Women attach great significance to ecumenical Christianity. The World's Day of Prayer[23] and the Ecumenical Decade for Churches in Solidarity with Women (1988-1998) gave rise to various forms of co-operation among women. All of them don't want to miss the experience they gained from their working together. A result of the growing co-operation among women of different Christian communities is the founding of the "*Christinnenrat*" in the year 2000. Its aim is to strengthen the sense of ecumenical community among women, to continue the work on topics of the Ecumenical Decade and to keep up contacts with ecumenical women-groups all over the world. In addition to that the "*Christinnenrat*" wants to make women's voices to be heard more loudly and widely through its public relation work, through general meetings and through talks with church officials.[24]

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[19]Lissner A., et al., *Frauenlexikon*: *Traditionen, Fakten, Perspektiven*, Freiburg: Herder, 1988, 835ff.

[20]See Praetorius I., *Skizzen zur feministischen Ethik*, Mainz: Grünewald-Verlag, 1995, 47-56.

[21]FK, 110f.

[22]Hünermann P., ed., *Diakonat: Ein Amt für Frauen in der Kirche, ein frauengerechtes Amt?*, Ostfildern: Schwabenverlag, 1997, 78-85, 129-138.

[23]Lissner A., et al., *Frauenlexikon*, 1157.

[24]"Frau und Mutter," *Mitgliederzeitschrift der katholischen Frauengemeinschaft Deutschlands*, 12 (2000), 6.

6. Conclusion

The development of the consciousness of gender justice within the German society and the Church as a whole is contributing towards the empowerment of women. The struggles that are initiated at various levels in this regard seem to be gaining attention and momentum as the years go by. It is certainly optimistic that the innovative steps adopted by Christian feminist movements will bring about needed changes within the general and official views on women-participation in the church life at all levels. Equal participation accorded to women along with men is not a concession, but a right – a fundamental one in this regard – by virtue of their Christian discipleship and official membership in Christian fellowship.

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GENDER JUSTICE IN THE CONSTITUTION OF INDIA

V. S. Elizabeth*

1. Introduction

A look at the status of women in India today is a cause for concern. Right from female foeticide, infanticide, child marriage, domestic violence, sexual violence, sexual harassment at the work place to the ghastly treatment meted out to elderly women make any thinking person to wonder at the nature of the society. Participation of women in the decision-making bodies – be they within the home, workplace or community – is marginal, never reaching even 25% of the total population of women in India. At the same time women are seen as the bearers of Indian tradition and culture. Without enabling women to exist as citizens with political and economic power is it possible for them to safeguard the tradition and culture of this country? The status of women in British India and the princely States was worse and the various practices like *sati*, widowhood, child marriage, and female infanticide were all seen as reflective of the backwardness of Indian society and were, therefore, targeted for change. The role of women in the National Movements and the rise of the women's movements during the pre-independence days ensured that the Constitution of India and Independent India would see a change for the better in the status of women.

India attained Independence on 15th August 1947, but it was not till the Constitution of India came into force on 26th January 1950 that the picture became clearer regarding the structure of government and the rights of the citizens of the country. The very fact that a parliamentary democracy in a republic is prescribed guarantees protection of the rights and status of the citizens of India irrespective of their social status. The framers of the Indian Constitution were very realistic in their expectations

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and that explains the various safeguards they built into the Constitution to protect the rights of the marginalized and vulnerable groups in society. The national movement had been characterized by the demand for equality irrespective of birth and status. Questions regarding untouchability, rights of the religious and linguistic minorities and women had gripped the minds of the freedom fighters. They realized that one couldn't demand freedom from colonial rule without ending the exploitative practices and unequal treatment of various sections of the society in the name of culture, history and traditions. This explains the protection that they have guaranteed to these groups in the Constitution. The Fundamental Rights enumerated in Part III of the Constitution are the bedrock on which the democratic and Republican character of the Indian State and society is based.

In this paper an attempt is made to examine the rights guaranteed to women as citizens of India and the protection extended to them in the Constitution, the basic law of India. Effort is also made to examine the protection extended to women since Independence through the various changes made in the laws relating to crime, marriage and divorce laws and also laws relating to property rights. This will enable us to appreciate the extent to which the Constitutional Mandate regarding equality, irrespective of the gender of the individual, has been achieved.

2. The Indian Constitution

The objective of the Constitution, as spelt out in the preamble, is to ensure the citizens of India justice, equality and liberty. How this is to be achieved has been spelt out in Part III, dealing with the Fundamental Rights, and also in Part IV, dealing with the Directive Principles of State Policy. While the Fundamental Rights are justiciable, i.e., enforceable through the judicial system, the Directive Principles are non-justiciable. However, their importance lies in the fact that they are directory in nature and their sanction is political.

There are six groups of fundamental rights, which are available to every citizen of India irrespective of caste, class, race, religion and gender. In this paper we are concerned only with the question of gender. Articles 14-18 deal with the Right to Equality. Article 14 expressly states that *there shall be equal protection of the law and equality before the law.* That is to say that whenever a woman approaches a law enforcement

officer or the judicial court then she should receive the same protection as any man. None of the laws makes a distinction between who commits a crime and against whom. If a stranger beats up a woman or her husband beats her up neither the Constitution nor the law makes a distinction. Under the Indian Penal Code it is still a crime when the husband of a woman beats her up, injures or harms her in any way. When the Constitution guarantees equal protection of the law it simply means that when she approaches a police station to register her complaint the officer on duty has to record it as he would if a wealthy man from the upper caste were to come to the police station to register a First Information Report (FIR) against a stranger who had caused him physical harm or injury. This is what is meant by equal protection of the law and equality before the law. There cannot be a different standard of justice or even denial of justice on the basis of the gender of the complainant. This right to equality is the touchstone against which all the laws and practices in India have to be tested. Any law or practice which is not in consonance with this provision of the Constitution can be challenged in a court of law as it would be unconstitutional and violative of a Fundamental Right guaranteed by the Constitution of India.

Article 15 guarantees *the right against discrimination.* Reading the Right to Equality with this right will necessitate the striking down of any law or practice that is discriminatory in character. This is the context in which the *Vishaka and Others vs. the State of Rajasthan and Others* (1987) case is noteworthy. The Supreme Court declared the offence of sexual harassment at the workplace as violative of the Right to Equality and Right Against Discrimination. However, notwithstanding the right to equality and the right against discrimination, the members of the constituent assembly thought it necessary to provide for *special protection for women* in Article 15(3) of the Constitution. They realized that a mere formal equality and right against discrimination guaranteed in the Constitution would not safeguard the women from being exploited and treated unequally. The members were sagacious enough to realize that thousands of years of discrimination and subordination of women will not be ended by the mere guaranteeing of equality in the Constitution and, therefore, they inserted this article so that the State would be given the space to make laws, policies and programmes for the enhancement of the status of women and enable them to access their rights under the

Constitution. It is in this context that the 74th amendment that provided for reservation for women in the *panchayats* was made possible. Such a special provision takes into consideration the practical reality of the inability of women to participate in the electoral process on an equal footing with the men. The prejudices and biases against women and their abilities hinder the election of women to the local governing bodies or the state and central legislatures. It means that though women are guaranteed equality under the Constitution they are unable to access this right by virtue of their actual position in the society. This protection enables those women who decide to contest for elections and participate in the decision-making processes to really do so. This was made possible by a Constitutional provision itself. *The Right for equality of opportunity in matters of public employment* is also guaranteed in Article 16 of the Constitution.

The second category of Fundamental Rights deals with the Right to Freedom, i.e., from Article 19 to Article 22. Article 19 guarantees *the freedom of speech and expression, to assemble peaceably and without arms, to form associations and unions, to move freely throughout the territory of India, to reside and settle in any part of the territory of India and to practise any profession, or to carry on any occupation, trade or business*. This civil right is essential for functioning as a human being in a democratic society. It has been considered as one of the most essential rights along with the Right to Equality. In the context of domestic violence and sexual harassment at the workplace this Fundamental Right of women is most often than not violated. Women are forced to change their jobs or seek transfers on account of Sexual Harassment. Married women subjected to domestic violence find that while the Constitution guarantees them the right to freely move throughout the territory of India their husbands and families don't recognize this right. Article 21 guarantees *the Right to Life*. The Supreme Court has in its interpretation widened the scope of this right by stating that the Right to Life means the right to live with dignity in the *Bandhua Mukti Morcha vs. Union of India* (1984) case. *The Right Against Exploitation* is guaranteed in Article 23. This expressly prohibits the trafficking of human beings.

The other categories of rights deal with more specific issues like religious freedom and cultural and educational rights. However, the most important of all the Fundamental Rights is the Right to Constitutional

Remedies in Article 32. This right guarantees the enforcement of the Rights enumerated in Part III of the Constitution as Fundamental Rights by providing for the right to move the Supreme Court or the High Court through a Writ Petition for enforcement of any one of the Fundamental Rights. The Supreme Court has further strengthened this right through the *Bandhu Mukti Morcha vs. Union of India* case by stating that the Court can allow any member of the public acting *bona fide* to espouse the cause of persons who on account of their poverty or disability are unable to do so.

Thus, it is not only that the Constitution has guaranteed various rights to women as citizens of India so as to protect their interests as human beings and individuals but the Judiciary in the course of its functioning as another wing of the Government has interpreted the Constitutional provisions so as to enable the implementation of the rights. This also facilitates the access to these rights in various cases that have come before the Judiciary in the form of writ petitions filed by individuals or groups.

In addition to the Fundamental Rights, various other provisions of the Constitution in Part IV that deals with the Directive Principles provide directions to the State in formulating policies and programmes in the interest of women. Some of these would be useful for our consideration. Article 38 requires the State to secure a social order in which justice – social, economic and political – is ensured to promote the welfare of the people. It also requires the State to strive to eliminate inequalities in status, facilities and opportunities. Clearly, the intention of those who conceived the Constitution was to ensure that equality would not be only of opportunity but realized in reality. Article 39 puts down the principles of policy to be followed by the State which include that the latter should direct its policy toward securing the right to an adequate means of livelihood, that there is equal pay for equal work, that the health and strength of workers – men and women – are not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength. Article 42 requires the State to make provision for securing just and humane conditions of work and for maternity relief. Article 46 requires the State to promote with special care the education and economic interests of the weaker sections of the citizens. Clearly, then, the objective is to strive towards a gender-just society.

Various special programmes and policies that have been formulated by the State since independence have had this objective. The fact that we are still very far from achieving this objective is not due to the lack of vision for an equal society as much as due to the absence of political will due to the failure to change society and the values that are deeply entrenched and which cannot be altered without changes in the processes of socialization which include education, family and the media. In addition to these responsibilities that have been assigned to the State to safeguard the interests of the citizens, through an amendment made in 1976, Part IVA was included in the Constitution. It deals with Fundamental Duties. Article 51A(e) very specifically requires that the citizens of India renounce practices derogatory to the dignity of women.

Thus, even a cursory glance of Parts III, IV and IVA of the Indian Constitution makes it abundantly clear that the makers of our Constitution, the Legislature and the Judiciary have provided a fundamental law that takes into consideration the fact that there can be no distinction made on the basis of the sex of a citizen. This ensures that women will be treated equally under the law and are entitled to every single right as citizens of India. In addition, taking into consideration the historical situation within in which the discrimination that has been practised on the basis of sex has resulted in a subordinate status given to women in society, special provision has been made to ensure that women would be able to access these rights. The framers of the Constitution took into consideration the special needs of women, thus, empowering the State to protect the maternity of women as well even while providing them the right to pursue any employment or profession on par with any man.

However, it must be remembered that guaranteeing a right in law does not ensure the ability to access the right in reality. The fact that the historical subjection of women has not been ended is reverberating within the Indian society in the form of a constant reduction of the number of women in each census. It is falling at an alarming rate, which is a matter of serious concern. Similarly, crimes against women have been on the increase. Incidents of rape, sexual assault, sexual harassment, domestic violence, cheating, etc., have been growing not only in numbers but also in intensity and brutality. The statistics provided by the Crime Bureau of India (CBI) brings out these facts every year. These statistics reveal only the statistics of reported cases. One can easily imagine how much bigger

the numbers would be if one were to take into account the numerous unreported cases. In addition, in the context of an expanding market economy, there has been the increasing objectification of women in the advertisements and the media. Parliament has from time to time either made amendments to the existing law or enacted new laws to address these serious concerns.

Women have enormous responsibilities in relation to their families as the carers and nurturers, though, at the same time, have only very low negotiating power. This results in neglect of their health and nutrition and access to healthcare is also restricted as women are most often unable to go to the primary health centres and hospitals leaving behind their ever-demanding responsibilities at home. It is, however, very important to realize that gender justice cannot be secured merely through laws and the legal system. Enacting gender-just laws will not mean an end to the exploitation of and discrimination against women. Using law and the legal system can only be one of the many remedies to be initiated to change the unequal status of women. Law is one of the means of empowerment of women but it is very essential that we realize the limitations of law: even if we have a Constitution that guarantees equality and various laws to address the different kinds of atrocities against women that does not in reality indicate that women, in fact, now enjoy equality. Society has to be changed and attitudes of the general public have to be altered before equality can become real for women.

3. Central Legislations and Women's Interests

Various legislations have been enacted right from the 1950's. We will make just a quick survey of these laws and then reflect on the reasons why these enactments together with the Constitution have not succeeded in ensuring that gender justice is meted out. To deal with the problems arising from the practice of giving and receiving dowry the Dowry Prohibition Act was passed in 1961 and, subsequently, amendments were made to it in 1983. Further amendments were made to the Indian Penal Code in 1986 by incorporating Section 304B by which a new offence of dowry death was created. In the light of this, anyone who perpetrates dowry death would now be punished with imprisonment for a term which shall not be less than seven years but which may also be extended to an

imprisonment for life. Changes were also made in the Indian Evidence Act in 1983 and 1986 by which the rules relating to evidence in the context of death of a married woman within a period of seven years of her marriage were formulated through sections 113A and 113B. Essentially, the sections refer to the presumption of cruelty or harassment before the death of a woman. In connection with any demand for dowry the Court shall presume that such a person has abetted her suicide (S. 113A) or caused the dowry death (S. 113B). Further, in 1983 Chapter XXA was added by an amendment which included Section 498A. It deals with the crime of cruelty by husband or relatives of husband. The word cruelty has been defined. Two explanations are given: one that defines cruelty in general and another cruelty in the context of unlawful demand for any property or valuable security. This is the first time that law has taken into consideration the problem of domestic violence. While till now the provisions of the Indian Penal Code that deal with injury, harm, wrongful confinement, etc., could have been used to address the problem the law-enforcement officials, lawyers and judiciary could not reconcile themselves to the fact that a husband who commits any of these offences on his wife is committing a crime and, therefore, punishable. The prejudice in the society against a wife seeking such a remedy was clearly reflected in the attitudes of these law-enforcement officers. As a result, in order to guarantee justice and equality to women, it became imperative to specifically address the issue of domestic violence which is so widely prevalent in society. The women's movement in India during the 1970s and 80s forced the Government to take cognisance of these problems and to provide a remedy in law. That is precisely what was attempted through these amendments. However, in reality there has been little change in the attitude of the law-enforcement officials as there has hardly been any perceivable change in the status of women in the society. Thus, women continue to face the same problem of domestic violence. One perceptible change is the recognition that domestic violence cannot be brushed aside as a problem exclusively between a husband and wife. If only the Government would use the media more effectively in driving home the message that wives are not the property of husbands to do whatever they deem it good and that women are valued members of the nation, we might see a reduction in the rate of domestic violence.

There are enactments like the Indecent Representation of Women (prohibition) Act 1986 and provisions in the Indian Penal Code to deal with obscenity like Sections 294 and 509. These try to address the question of objectification of women and sexual harassment of women. There is the Commission of Sati (Prevention) Act of 1987, the Immoral Traffic (Prevention) Act of 1986, etc., which have tried to end some of the traditional practices which have originated from exploitatively according subordinate status to women in the society.

To specifically address the question of female foeticide the Parliament enacted the Pre-natal Diagnostic Techniques (Regulation and Prevention) Act in 1994. This Act basically criminalizes the use of techniques like ultrasound to determine the sex of the foetus. This Act, used together with the Medical Termination of Pregnancy Act 1971, could effectively lead to the ending of the practice of killing female foetuses. However, due to the negligent attitude of the members of the society and the government towards the female members in India there has hardly been any arrest even under this act, let alone any conviction.

To protect the working women, the Maternity Benefit Act was passed in 1961. This enables women who are employed to be able to safeguard the health of the foetus and their own before and after childbirth. This is to ensure that employed women will not face any disadvantage in comparison with their male colleagues with regard to the need for hospitalisation and post-natal care in the context of pregnancy and childbirth. This also ensures that the newborn baby would not in any way miss out on maternal care during this period.

The Equal Remuneration Act of 1976 aims to provide for the payment of equal wages to men and women workers and for the prevention of discrimination against women when the work is the same or of a similar nature. The Factories Act of 1948, through Sections 19 and 42, provides for proper toilet facilities for women employees while Section 48 provides for crèches so that women may be able to look after their young children in a healthy and safe atmosphere. Section 66 provides that no woman is to work between 7 p.m. and 6 a.m. unless the State Government specifically makes rules otherwise in certain specific contexts. The last section has not always worked to the advantage of women when it comes to the question of perks, increment and promotions as men are able to put in that extra work especially in certain industries

like the Information Technology (IT) industry. This is the context within which the State Government of Karnataka wanted to exempt women in the IT industry from this provision of the Factories Act.

With reference to inheritance, succession, laws relating to marriage and divorce, guardianship, custody, adoption, etc., since Independence the State has been endeavouring to enact gender-just laws. However, since the laws relating to these subject matters are considered to be derived from the religious beliefs and practices, it has not been possible to completely ensure equality in these areas. The Hindu Succession Act of 1956 gives male and female heirs equal rights of inheritance in acquired property while with reference to ancestral property daughters have no share except in a few states in Southern India, like Karnataka and Andhra Pradesh, wherein through amendments the State has guaranteed in law, proper share for the female heirs even in the co-parcenary or inherited property. Under the Indian Succession Act that governs Christians, sons and daughters get equal share in the property of their father after giving the wife one-third of the property. In Muslim law women generally inherit half of what their male counterparts do, whether it is ancestral or acquired property. Muslim men and women can bequeath through a will only one-third of their property.

The father is considered to be the natural guardian of the child and only if the father has no objection during his lifetime can the mother act as the natural guardian. This, too, was provided through the interpretation by the Supreme Court of India in the Githa Hariharan case. Through amendments to the personal laws efforts have been made to ensure equal rights in marriage and divorce for men and women. However, there are still a few provisions which continue to deal unequally with men and women.

4. Conclusion

The legislative framework present in the Constitution provides for equality in society between men and women. In order to fulfil this constitutional mandate, the Parliament and the Judiciary have, from time to time, enacted laws and interpreted the existing ones that would guarantee gender justice. However, since law, the legal system and society are closely interlinked it is not possible to enforce the rights provided in law without changes in the

social institutions, values and attitudes. Social change cannot be brought about through law. It is only through the process of sensitising various constituent offices of the government and, more importantly, the members of society as a whole to the rights and concerns of women, can gender justice become a reality. Law is only one method by which the various problems of women can be resolved. While law can empower women at one level it is not possible to completely eradicate the subordination of women or the discriminatory practices merely through the legal system. If it had been so, we should not have to worry about the falling figures of women in the year 2004. After all, we have the Constitution that guarantees various rights to women and various subsequent enactments since its promulgation, both of which have squarely attempted to address various crimes against women. We have to recognize the limitation of law in bringing about change in society and in ending oppression of women; what we need is an enlightenment of the whole Indian society to the spirit of the law in positively advocating the equal treatment of women and men.

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A LEVINASIAN CALL FOR ASSERTING THE FEMININE

Jis Joseph Pettayil[♦]

1. Introduction

A village school teacher once asked a class of girls and boys to punctuate the following sentence: "Woman without her man is a savage." The boys in the class punctuated the sentence as follows: "Woman, without her man, is a savage." When the girls, in their turn, punctuated it, the sentence read: "Woman! Without her, man is a savage." The honest truth is that both man and woman are each a savage without the other. Both are only halves of an integrated human personality. It is neither ethically desirable nor possible to determine which of the two sexes is superior. It is a historical fact that women have been suppressed and subjected to indignities for generations. Both in the family and in the society their status has been secondary; many a time they have been treated at best as secondary human beings if not as pieces of movable property. She is the most depressed of all depressed classes. Even among the untouchables or the Negroes the wives are not treated equal.

Man condescendingly worships her as mother, loves her tenderly as his sister, adores her as affectionately as a daughter and dearly cherishes her as his wife. He may even be henpecked, although her status is nevertheless secondary when it comes to societal relations. Man and woman are made for each other as no two other beings in nature were ever created. Yet, from the time immemorial they seem to have been a mismatch. Moreover, their relationship in social life has remained more or less a vexed problem. George Elliot once remarked: "I don't deny that the women are fools, but then, they were made to match the men." It seems that even on that level they have been a mismatch. This has initiated an

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unending controversy, which gradually developed into what is now known as feminism.

Feminism is grounded on the belief that women are oppressed or disadvantaged in comparison with men, and that their oppression is in many ways illegitimate or unjustified. Aristotle's claim that women are mutilated males, together with the biblical account of the sin of Eve, gave rise to an authoritative tradition in which the weakness, irrationality and ineducability of women, the inconstancy, inability to control their emotions and lack of moral virtue, were all regularly assumed and cited as grounds for controlling them and excluding them from the public sphere. The very reason why we speak so much about feminism confirms the reality that the suppression of woman is more than a theoretical concept. Just as there are diverse images of liberation, so there are a number of feminist philosophies. One of the most prominent of them would be Emmanuel Levinas, who painstakingly worked out a philosophy of other, safeguarding the position of not only men but also women since his concern was fully and entirely the suffering Other.

The entire philosophy of Emmanuel Levinas can be summarized in a statement: "There is something more important than my life ... and that is the life of the other."[1] He claims that the Western philosophy is unable to offer an adequate account of the human existence because it consistently fails to recognize transcendence – the transcendence of the other person, the fact that he[2] is radically different from me, wholly other. The thought of Levinas is preoccupied with the brutal and almost inevitable reality of violence, and with the possibility of ethics, justice and peace.

2. Women: "*Il y a*" and "*Conatus Essendi*"

The thought of Levinas is built upon certain experiences. Levinas calls it the "*il y a*"[3] experience. "*Il y a*" is a French word, which literally means,

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[1]Emmanuel Levinas, "The Paradox of Morality" (An Interview with E. Levinas by Ainley A., Tarma Wright and P. Hughes), in *The Provocation of Levinas: Rethinking the Other*, Robert Bernasconi and David Wood, eds., 160-180, New York: Routledge, 1988, 172.

[2]Levinas uses masculine pronoun to refer to the other, except when he is explicitly concerned with the feminine.

[3]Levinas, *Ethics and Infinity: Conversations with Philippe Nemo*, trans.

"there is." It is an experience of emptiness, vacuum, being just there, or lack of focus. In other words, it is an experience where you exist but not as a subject.[4] The impersonal, anonymous, but inextinguishable 'consummation' of being, which murmurs in the depths of nothingness itself, is "there is." The "there is," in as much as it resists a personal form, is "being in general."[5] Today the existence of women is typical of this horrifying experience that Levinas speaks of; in fact, she is treated as a being without being. It is from this denial of existence that the ethical subject attempts its first liberation.

In *Otherwise than Being or Beyond Essence*, Levinas describes the ego in a synthetic fashion as "*conatus essendi*" and "effort of being."[6] Levinas observes that every being does everything it can to persist in its existence. The "there is" is only a causal or temporary fact as an evil, and it needs to be overcome, in order to be liberated. It is in this search that Levinas discovers the self-establishment of the 'I'. The amount of philosophical literature on feminism witnesses to the fact that women have a desire to "persist in existence." It is the absence of this desire that postponed, if not prevented, the entry of feminism in philosophical reflections until very recently.

3. Epiphany of the Face and the Epiphany of the Feminine

"The epiphany of the face *qua* face opens up humanity... The presence of the face, the infinity of the Other, is a destituteness, a presence of the third that is, of the whole of humanity which looks at us."[7] In this sense, the

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Richard A. Cohen, Pittsburgh: Northwestern University Press, 1998, 47-48; Levinas, *Existence and Existents*, trans. A. Lingis, Dordrecht: Martinus Nijhoff, 1978, 17-18, 57-64.

[4]Attempts to identify it more closely are necessarily paradoxical. It is the presence within absence, the sound you hear when everything is silent, Being without beings, and the fullness of what is empty. See, Levinas, *Existence and Existents,* 10-11.

[5]Levinas, *The Levinas Reader*, ed. Sean Hand, Cambridge: Blackwell, 1989, 30.

[6]Levinas, *Otherwise than Being or Beyond Essences*, trans. A. Lingis, Dordrecht: Martinus Nijhoff, 1981, 127.

[7]Levinas, *Totality and Infinity: An Essay on Exteriority*, trans. Alphonso Lingis, Pittsburgh: Duquesne University Press, 1969, 213.

face is at once near and far, the present Other and the absent Other.[8] Levinas argues:

> All the allusions to the ontological differences between the masculine and the feminine would appear less archaic if, instead of dividing humanity into two species [or into two genders], they would signify that the participation in the masculine and in the feminine were the attribute of every human being.[9]

Women have to be affirmed as subjects in their own right. The traditional identification of women with all things carnal and their consequent debasement has to be challenged. A woman is not to be considered as a property for pleasure and enjoyment. "Love has to be acknowledged as the meeting of two responsible beings where both are animated by desire. Neither is the passive recipient of the others attentions."[10]

In Levinas' view, the human face is not simply what it seems to be. Levinas uses the term 'face' with a very special connotation, which is often misunderstood by many. It is the expression of a separated being, of sheer transcendence. As he said, "the way in which the other presents himself, exceeding the idea of Other in me, we name here face."[11] "The true essence of [wo]man is presented in his [or her] face."[12] The face is that part of the body of other people which is most readily or often visible; it is also the most expressive part of the body. The notion of the face as expression plays an important component in Levinas' thinking. However,

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[8]It is for this reason that Levinas never uses Bueber's category of the "I-Thou" relation but designates the I-Other relation as the "social relation" (see, Levinas, *Totality and Infinity*, 109), or simply as "sociality" (see, Levinas, *Otherwise than Being* 26). The otherness of the Other has an essentially social extension: his alterity contains an immediate reference to all Others. It seems, then, that our "universal kinship" is neither biological nor "generic." It is not derived from some common quality or qualities, but of an ethical metaphysical structure of character. See, Burggraeve, *The Wisdom of Love in the Service of Love: Emmanuel Levinas on Justice, Peace and Human Rights*, trans. Jeffrey Bloechl, Milwaukee: Marquette University Press, 2002, 127.

[9]Levinas, *Ethics and Infinity*, 60.

[10]Morny Joy, "Levinas: Alterity, the Feminine and Women – A Meditation," *Studies in Religion* 22, 4 (1993), 476.

[11]Levinas, *Totality and Infinity*, 50.

[12]Levinas, *Totality and Infinity*, 290.

the face is not *simply* seen: "to see the face would be to make of it an intentional object of the perceiving consciousness, so reducing its absolute otherness."[13] The face is not the object of "experience in the sensible sense of the term, relative and egoist."[14]

The separatedness and otherness of the face manifests itself not only as inexorable and irreducible, but equally as "strangeness – destitution" and exceptional vulnerability.[15] "The face is exposed, menaced, as if inviting us to an act of violence."[16] Whereas the *Other* is weak, the poor, the widow, the destitute, I am rich and powerful. In short, it refers to those who are defenceless, unprotected and in need of help. When the other faces, with a glance, with a word, with a gesture, he or she comes in the poverty and nakedness of his or her face, unmasked and disarmed and empty-handed. "The face of a neighbour signifies for me an unexceptional responsibility, preceding every free consent, every pact, every contract."[17] In facing me, the other questions me, contests me and makes demands on me. Even if his or her glance is light, the voice hardly stirs the air and the gesture refrains from touching me, his or her word is imperative. In responding to another who faces me I have already recognized the other's right to question me, have already recognized authority and sovereignty. His or her face contests my perspective, puts my interpretation into question and makes demands on me. The face is described as a summons and a judge, a commandment and an authority, a putting into question of the 'I' that is concerned with itself.

In facing, the other makes an appeal to me. I always have something to show, to answer, or to give.[18] In the face of the *Other* I find my imperialistic self that does violence to the Other, who questions, appeals and recalls me to my ethical responsibility. In presenting himself or herself to me with his or her glance, the other addresses me in his or her vulnerability, susceptibility and mortality. The summoning forth of the

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[13]Colin Davis, *Levinas: An Introduction*, Cambridge: Polity, 46.

[14]Levinas, *Totality and Infinity*, 193.

[15]Levinas, *Totality and Infinity*, 75, 299.

[16]Levinas, *Ethics and Infinity*, 86.

[17]Levinas, *Otherwise than Being*, 88.

[18]Alphonso Lingis, "Face to Face: A Phenomenological Meditation," *International Philosophical Quarterly* 19, 2 (June 1979), 156.

force of responsibility is coextensive with the invocation of the 'I'. For the glance of the other appeals to me in my singularity; moreover, the one who faces me singles me out, singularises my existence, and calls up an 'I'. The one who faces me requires something of me, and requires first that I answer him in the first person singular. To answer to the appeal of another is to rise up in the singularity of an existence.

In his phenomenological description of the face-to-face encounter between self and other, Levinas is careful to bring out the connections between response – or, responsiveness to the address of the other – and responsibility. The face of the suffering other reveals a delay and an "extreme urgency"[19] of justice. Moreover, "being called to responsibility is a disturbance, for the face disturbs us otherwise from our present situation."[20]

4. The Other: Man or Woman?

In Levinas, the other is always vulnerable and stands in need of my exclusive attention, even to the extent of substituting myself in place of him or her. That is to say, we are invested with a kind of creatural responsibility that we have not asked for. It remains, however, to be specified as to whether the other stands for the masculine or feminine or for both. The term other is to be understood above all as a noun. In French, this noun is usually read as designating both man and woman. In our day-to-day experiences, *the existence of the other*, the *love of the other*, *concern for the other*, etc., are evoked without the question of who or what this *other* represents being asked.

Though the analysis of the feminine[21] is evident in most of Levinas' major works, it is outstanding in *Time and Other*, *Totality and Infinity* and *Otherwise than Being or Beyond Essence*. Levinas' failure to conceive both the woman and the child in terms of their otherness reveals how the masculine predominantly determines his notion of the Other. Its primacy

[19]Levinas, *Otherwise than Being*, 89.

[20]Glen J. Morrison, "Emmanuel Levinas and Christian Theology," *Irish Theological Quarterly* 68, 1 (Spring 2003), 9.

[21]What Levinas is attempting to convey by using the word *feminine* is a composite of certain physical and emotional qualities that has been considered appropriate for women since time immemorial.

can be detected in two of the metaphorical figures he chooses to describe the Other: the widow and the orphan. The other, to use one of Levinas' favourite formulations, is "the stranger, the widow, the orphan to whom I am obliged."[22] Who is the widow? In Levinas' view the widow is the one who needs protection. Her want originates not from the frailty of a separate being; rather from the loss of her husband, who thus defines her being. "The widow is the feminine who receives her identity from the loss of the masculine, which after death as well as in life, defines who the woman is: not an absolutely other, but an other conditioned by the same, by the masculine."[23] It illustrates what the analysis of the role of the feminine other has already revealed: the woman is not an other; her otherness is constituted not in relation to herself, but to that possible other the masculine is. Therefore, if neither the woman nor the child can be Other in his philosophy, what can it mean when Levinas chooses to write that the Other takes the face of the widow and the orphan? There cannot be any greater contradiction in the philosophy of Levinas than one like this.

5. Justice and the affirmation of the Feminine

Again, from the perspective of justice, the question to be settled is this: "Can we prove quite generally that it is always unfair to choose a man rather than a woman for something they would both like to do, when the woman could do it better than the man?"[24] The idea of justice lies at the heart of moral and political philosophy. It is a necessary virtue of individuals in their interactions with others, and the principal virtue of social institutions, although not the only one. Traditionally defined by the Latin expression, "*suum cuique tribuere*" – to allocate to each his own, justice has always been closely connected to the ideas of dessert and equality. Rewards and punishments are justly distributed if they go to those who deserve them. In the absence of different dessert claims, however, justice demands equal treatment.

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[22]Levinas, *Totality and Infinity*, 215.

[23]Silvia Benso, *The Face of Things: A Different Side of Ethics*, Albany: Suny Press, 2000, 40.

[24]Janet Radcliffe Richards, "Discrimination and Sexual Justice," in *Philosophy: Basic Readings*, Nigel Warburton ed., 202-214, London: Routledge, 1999, 202.

Justice is part of "face to face" and sociality, although Levinas' definition and analysis of justice is not altogether clear. In *Totality and Infinity*, Levinas writes: "Justice consists in again making possible expression, in which in non-reciprocity the person presents himself as unique. Justice is a right to speak."[25] In *Otherwise than Being*, Levinas implies that justice arises out of the exposure to the Other in which there is a surplus of duties over rights. That is, one has a "commitment to the Other-as-other that is non-reciprocal, so one always has duties to and for the Other as Other even when one's rights are not reciprocally recognized or honoured."[26]

> I cannot on my own behalf claim equality with my brothers [and sisters], for I am immeasurably more culpable than any of them, each of them makes an equal claim as naked face, as uninvested *Autrui*, that is to say as Other destitute of particular properties and relations, as *absolutely* naked, orphaned or widowed.[27]

Not only is there no incompatibility between the equality of others and my inequality with the Other who faces me. The inequality actually requires the equality. In *Otherwise than Being*, this demand is variously expressed. According to him, "responsibility calls for justice."[28] "If both the other and the other other, the third party, calls for responsibility, my responsibility calls for third personal justice, the institutionalised system within which competing claims are to be judged…"[29]

Levinas saw the foundation of justice in the fact that a third person exists who must see not only my other but also myself as person worthy of receiving what is due to us. The concept of justice, according to Levinas, is to be explained from the perspective of the Other. The only fundamental dimension for a truly ethical right[30] is the unconditional

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[25]Levinas, *Totality and Infinity*, 298.

[26]Werhane, "Levinas' Ethics," 65.

[27]Llewelyn, *The Genealogy of Ethics*, 140.

[28]Levinas, *Otherwise than Being*, 45.

[29]Llewelyn, *The Genealogy of Ethics*, 140.

[30]As early as 1673, Poulain de la Barre argued that women and men possess an equal right to knowledge, conferred on them by nature. All humans pursue happiness; no one can achieve happiness without knowledge; so everyone needs knowledge. To ensure that people are able to pursue their proper end, nature has supplied the necessary means in the form of a right. God has endowed all humans with reason so

responsibility, which the face imposes upon the Other. Justice is the situation where the responsibility for the Other is accepted. Levinas does not define it, but he just describes it. The authentic human society is the society where a sense of justice becomes an answer to the appeal of the face. It has its basic principle in the recognition of the other as the Other. The face of the suffering other reveals a delay and an "extreme urgency"[31] of justice. When the dignity of the woman is questioned and she is presented as victim of discriminations of every sort, she is the suffering one looking for someone coming for her rescue. For Levinas, everything begins with the right of the other and one's infinite responsibility for the Other. The Other becomes my *confrere*, fellow member of a collectivity – the one "with whom" (not "to whom," Levinas insists) one "renders justice."[32] "[Justice] remains justice only in a society where there is no distinction between those close and those far off, but in which there also remains the impossibility of passing by the closest."[33] Justice reminds us of our non-reciprocal responsibilities to and for others, but "justice also recognizes me as one of those to be counted. Because of justice[34] I am thought of as an Other, I am allowed to speak."[35] In short, justice is nothing but the fulfilment of one's responsibility; it does not matter whether it concerns a male or a female.

If our present society is unfair to women, it is obviously fair that it should be changed. The need of the hour is, therefore, a cultural hygiene. We also need to take into account the uniqueness of both the sexes. It is

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that they can use it to govern their passions and attain knowledge and virtue. To deprive women of the opportunity to perfect their nature and increase their capacity for happiness is to treat them as less than human and render them "gentle, domestic brutes." It is to trample on their rights and keep them in a state of subjection which damages both them and their male captors.

[31]Levinas, *Otherwise than Being*, 89.

[32]Levinas, *Collected Philosophical Papers*, 43.

[33]Levinas, *Otherwise than Being*, 158.

[34]Justice, then, does not arise from an ego, from a de-centring ideal speech situation, from a disinterested perspective behind a hypothetical veil, or merely out of community. Rather, it is the normative aspect of exposure to the Other who is neither merely an ego nor a radically situated self. Justice is not the first virtue of social institutions but the ground and normative side of sociality that is neither egocentric nor merely communitarian. See, Werhane, "Levinas' Ethics," 65.

[35]Werhane, "Levinas' Ethics," 65.

not possible to strictly demarcate the boundaries of man and woman. You may need a man to haul in the wood, but you do not need necessarily a man to log on to Internet. There are matters of exclusive concerns for both the sexes but a realistic suggestion would be to respect the differences and to develop a reverence for what they are. It is this sanctity of the human frame that both men and women, young and old, should imbibe. Thus alone can we attain a social order in which men and women will work together and live together as equals, who will mutually make their lives happier, better and more beautiful.

6. Conclusion

It is a contradiction that woman seeks protection from man and in the same breath she strives for freedom from man's dominion. It is, therefore, evident that this problem ought to be tackled by both the sexes together in a spirit of mutual fellowship. It is easy to theoretically find solutions to a problem, but it is not as easy to find a workable solution. As with any problem, the issue of gender justice too needs to be addressed, as we live in a civilization that is so advanced in all other aspects. What appears to be a possible solution is to undertake a spiritual pilgrimage of the human spirit in a spirit of dedication by men and women who believe in the necessity of the liberation and the equal treatment of woman. This pilgrimage implies the advance of man towards woman and the advance of woman towards man. It is a pilgrimage not for domination or gratification, but a pilgrimage in a spirit of reciprocal fraternal affection which will be followed by a new era of human evolution as certainly as dawn follows dusk. What is evident from the analysis is the fact that Levinas is not arguing for either justice or injustice based on gender, but for responsibility. "We are all responsible for all for all men before all and I more than all the others."[36] If one, therefore, is responsible, there is no possibility of the question of injustice arising, be it on the basis of one's gender or genesis.

[36]Levinas, *Ethics and Infinity*, 101.

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PLANNING A FAMILY IN THE CONTEXT OF GENDER DISCRIMINATION

Saju Chackalackal♦

1. Introduction

It is quite plain to say that all human beings are just *human*. The humanity we share at every level of existence is not exclusively decided by the physiological or psychological characteristic features we inherently possess, though they certainly qualify anybody's being and becoming a human. While each individual is unique in creation and upbringing, it is all the more so with one of the fundamental physiological differences in terms of sexual identity.[1] When pushed to the extremes, these identities, though fundamental to everyone, assume a negative dimension in the life of the individual as well as the society. The conscious and unconscious processes of converting the physical and psychological differences in defining the social identity of these persons result in a very strict demarcation of their roles, whether it is within a microcosmic family or in the macrocosmic society. Most of these being categorized under "gender difference,"[2] they are considered to be essential in our present social framework, and are not only the reflection of an inherent physical

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[1]It is a scientifically established fact that the presence and absence of certain genes cause a plethora of physical, hormonal, and psychological changes among human beings. They initiate an interplay of various factors that results in defining what a male or female human being is.

[2]While 'sex' identifies the *biological differences* between women and men, 'gender' denotes *a culturally specific set of characteristics that identify the social behaviour* of women and men, the relationship between them and the way it is socially constructed. Although gender can be an analytical tool for understanding social processes, gender roles are those learned behaviours that condition the activities, tasks and responsibilities perceived to be specifically male and female.

distinction, but also that which is imposed upon us by society and environment over a long period of time. Our realization of this fact calls us to understand and reassess the actual situation and, thus, to pave the way for a conscious and concerted effort to evolve an action plan in view of creating a healthy society consisting of healthy individual persons.

Although difference in sex is quite natural, and is the basis of founding a family, the unhealthy attitudes and practices prevalent in the society, and shared by its members at almost every level adversely affect the inner dynamics of the family itself. Ranging from an unwelcome attitude accorded to some newborn girls and the preferential treatment extended to boys, to the gruesome acts of female foeticide and dowry deaths announce the intensity of discrimination meted out to women in many of our families and the society at large. It need not be said that there is injustice in such attitudes and actions. Although, sometimes, it may seem that everything in our families is all right, all is not too well with everything. Many unjust practices, which may peripherally seem to be innocent in themselves, have resulted in malignant cancerous growths within our families. It is a fact that members of a family are segregated among themselves based on their sexual difference. This has to be remedied by our concerted efforts, so that a healthy family and a healthy society consisting of healthy individuals can be formed. For, the family is the conveyor belt by means of which a positive (as well as a negative) value system can be transmitted from one generation to the next.

In the context of Natural Family Planning (NFP), especially in the context of the Catholic Church taking a lead in preparing the future couples to have a healthy attitude and approach towards everything connected to human life, we have to give special attention to the problems arising from any type of gender discrimination as practised in our families and communities, so that proper planning of families can be made in view of healthy individual persons and healthy families. At the very outset, we must bear in mind that planning a family is not merely planning the timing of sexual intercourse, or planning the number of children alone. It goes far beyond these notions. Our thrust in family planning has to be the integral growth and life of every member of the family, including the relationship between the husband and wife, between the parents and child(ren), and among the children themselves.

The actual situation with regard to gender-related issues in India does seem to go against a healthy approach to individuals in terms of discriminations. For, caste, class, monetary, and gender discriminations are adversely affecting our Indian society and are shared by almost all communities. Natural differences are pushed to the extremes, to the extent of distorting, imprisoning and annihilating the very human nature, with a view to fulfil the vested interests of certain individuals or classes at the expense of a few or even a vast majority. The case with gender-related issues has to be addressed by everyone, as it basically affects individual persons, families, the Church, and the society at large. Only a concerned and concerted effort on the part of every person – male as well as female – can effect a better world in its local, national, and international structures. This, however, requires negatively challenging and overthrowing the existing unjust and imprisoning ideologies or structures, practices or methods. This invites us to go beyond certain cultural images and cosmologies, socially accepted customs and religious practices and, thus, to positively admit the values of respect for persons, diversity and inter-connectedness among persons. It is not enough that ours is a high-tech society when it comes to technology and the related areas, but it also demands that we should reject a highly regressive attitude towards life, which, in turn, would pave the way for humane ethics and values.

2. Gender Discrimination:[3] A Colossal Mistake in Human History

Stratification has always been part of our social life, and in many cases inequality was its main consequence. A cursory look at the caste and class divisions, whether they are motivated by a theoretical doctrine or practical need, evokes vivid images of the ways in which unjust structures have been instituted and perpetuated, most of the time, for the benefit of another group with vested interests. Examples such as the struggle for supremacy among feudal barons in Europe, practice of slavery in the Americas,

[3]Discrimination, at any level, occurs when a law, program or policy – expressly or tacitly – creates a distinction between groups of individuals, which disadvantages one group based on shared personal characteristics of members of that group in a manner inconsistent with human dignity. When this is motivated and influenced largely by gender difference, it is called gender discrimination.

segregation and social ostracism among different caste communities in India, etc., abound in the history of humanity.

The discriminatory attitude and practices based on gender has existed in our society for centuries, or even for millennia. Most of the known civilizations shared a strong male-dominated and male-centred attitude, which resulted in cultivating a disdainful and condescending approach towards women. Patriarchal societies were instrumental in promoting this culture,[4] which naturally resulted in introducing and inculcating social behaviours through conformity and sanctions. It is a fact that a male-dominated society ordained everything for the benefit of the power-yielding group of males at the expense of a deprived and disadvantaged, but numerically equal number of females, making the realization of justice a mockery.

The gravity of this situation may be understood when we look at it from a comparative perspective of various discriminations. Although various minorities, at different periods in history, had been able to enforce discrimination upon a relative majority for the advantage of the former, the discrimination based on gender is one within which the whole humanity got involved, and at least half of it had to suffer throughout the known history of human race. It is of such a colossal stature that while the male group took advantage of the existing situation (consciously or unconsciously designed by the foregoing generations), women were made to believe that it is their *innate* nature, and that there was no point in trying to get out of this shackle of (strict) gender stereotypes. These cultural constructs were made to be the norms of femininity, which, in turn, became the tools of disciplining and 'sizing' women to suit the taste and purpose of male members. It is ghastly to learn that such a process was carried out at the pretext of *socializing* women, although the very process had been unhealthy as well as painful even from a historical perspective. As Neube puts it,

> Women were shaped and socialized [in order to be] culturally accepted by males. The cultures, systems and traditions which were

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[4]According to Margaret Shanthi Stephens, "Culture implies a specific way of looking at the human society, the goals of life, religion and ethics, the values and attitudes that govern individual and social behaviour ..." "Inter-Religious and Inter-Cultural Work for Women's Rights," *Concilium* 5 (2002), 112-113.

> created, were used to disadvantage women. Women were possessed and were men's properties in a way that never made them free to be themselves. They were privatised, in other words, they were shrunk to the size that men could handle. Women *were* and still *are* crucified for simply being born women. Women are cultured for the convenience of men.[5]

Thus, the person of a woman did not matter for the men who dictated terms of her life and conditioned her behaviour. Either she had to accommodate herself to the standards and norms of the society established mostly by men, or she had to quit living as a normal human being.

From the perspective of a woman, justice was only a hollow word without having anything to do with her pitiful plight. "Justice is a most precarious dream fostered by humanity. Justice is a vision akin to the vision of heaven: many have heard about it, read about it, and longed for it, but no one has seen it."[6] Without any exaggeration, it may be said that this situation continued for millennia, forcing and fostering the non-personhood of women. This is a mistake of the human race at large, the responsibility for which has to be shared at least by half of the population, if women were to be excluded from it. It is a mistake that was repeatedly committed all through the history of humanity. For whose benefit was this perpetrated? What did humanity gain from it? Or, did not humanity lose its own integrity by alienating half of itself from personhood and human reality? When the group of males apparently benefited from this type of a discriminatory practice, there was an equally important – quantitatively and qualitatively – group that was losing its own identity. It must be said that it is unworthy of human beings to have involved in this type of discrimination, disadvantaging half of themselves. Men comfortably forgot that oppression of women would lead to the suppression of actual human life. This inequality prevailed all through the history in the relationship among people in segregating women along gender lines. The powerful males did not want to lose a bit of the power and comfort that

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[5]B. Neube, "Gender and Black Women's Struggle for Full Humanity: A New Vision," *Voices from the Third World*, 98.

[6]Jarl, "Women's Rights as Human Rights in a Global Context, Globalisation and the Violation of Wo/men's Rights," *Concilium* 5 (2002), 23.

they were enjoying, although that was at the cost of the life and vitality of the whole group of women.

3. Role of Religion and Politics in Perpetuating Gender Discrimination

The historic mistake that the humanity as a whole has committed in discriminating people only on the basis of gender difference seems to have reached the present state of affairs by certain collaborative forces, religion and politics being the major players. As discrimination of one section can always benefit another, religious and political leaders, to a great extent, have been consciously trying to keep up the status quo of gender discrimination. While they take into account the advantage they accrue from this exploitation based only on gender, they comfortably forget the fact that the human potential of a very powerful section (certainly, half of it) of humanity is wasted and thrown out as junk. Moreover, discrimination at every level of religious as well as political spheres have consistently and systematically avoided to take into account the struggles of women as legitimate and meritorious, whereby their contributions were not merited and counted along with those of their counterparts. Even if some were to argue that certain religious and political networks have had nothing to do with perpetuating gender discrimination, they cannot absolve their collective responsibility for not initiating proper mechanisms to check such an unjust practice or tendency as they are the two powerful human systems that can not only influence attitudinal changes, but also motivate healthy and corrective actions.

It is so naïve that women are accorded not only a lower status because they are born with a sexual difference, but they are assigned religiously an inferior state. Plato, the great rationalist from Ancient Greece, in providing an account of the origin of sexes, held that it is the duty of every human being to attain a better state of existence by rationally overcoming our irrational tendencies. Attainment of such a new state is filled with scorn and disdain for women, as an unsuccessful attempt results in a person being born as a woman, this being a punishment for an unrighteous life: "He who lived well during his appointed time was to return and dwell in his native star, and there he would have a blessed and congenial existence. But if he failed in attaining this, at the second birth,

he would pass into a woman."[7] Implied, then, is the sense that *the best a woman can hope to become is to be reborn as a man*!

The same type of a naïveté is shared by the mainstream Indian religions, too. Although some of the earliest texts indicate a rather positive attitude and approach towards girls and women, the overall response is said to be negative. We find that along with and apart from the ills of caste system, Hinduism, in general, supported and perpetuated gender discrimination in different forms. The positive foundational perspective on the ultimate reality in terms of an integration of the female and male principles, *sakti* and *siva*, or *prakrti* and *purusa*, does not seem to have been translated into the actual integral relationships between women and men. According to this doctrine, without the female principle, the male is static and the transcendental potency of the ultimate would remain inert. The creative and holistic perspective that we find embodied in the divine stopped short of being the actual practice among the subscribers of such a religious outlook when it came to concrete human beings who are sexually different. It is difficult to understand why a person who is ready to prostrate before an image of a female deity fails to recognize, at least, the humane element and value of femininity in the woman next to him, whether it is his mother, wife, sister, daughter, or friend. From this angle, the operative principle of these religions seems to present us a grim picture precisely because they not only neglected to take into account the positively creative principle of an integral union of the ultimate reality in embodying human relationships, but instead made use of the same religious principle to manipulate and segregate one section of devotees by emphasizing natural sexual differences to a level of extreme gender differentiation. As a result, we find the attitude of Hindu devotees towards women swinging between divinisation and dehumanisation,[8] both of which seem to be doing injustice to an actual human being. Tagore puts it across through one of his characters as follows: "I am Chitra, no goddess to be worshipped, nor yet the object of common pity to be brushed aside like a moth."

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[7]Plato, "Timaeus," in *Plato: The Collected Essays*, ed. Edith Hamilton and Huntington Cairns, Princeton: Princeton University Press, 1961, 42b.c, 1171.

[8]The 'Yellamma' tradition in the temples of south India is an example, in which religion perpetrates exploitation of womanhood.

Among the Hindu scriptures, the deprecation of women is explicit from the time of the *Atharva Veda* and the *Brahmanas*. With the *Athrarva Veda* women not only lost their freedom in different domains, but their birth itself became an unwelcome phenomenon. The *Brahmanas* referred to the exposure of female babies, and women were put on par with dice and drink; hence, strangely, they were considered to be one of the major evils in human society. The ritualistic texts of this time not only held that only male members can officiate in religious rituals, but considered women impure, especially during menstruation and pregnancy.[9]

A religious perspective, whether it is healthy or unhealthy, does not remain merely on the ideological level; it is always translated into action, most of the time with much more vigour and vitality than any other ideology. The condescending attitude towards women that we find reflected in the religious scriptures becomes the norm of daily living, which results in according a very low level of recognition and respect to women in general. We must be painfully aware of the fact that the unjust disparity resulting from such an attitude and behaviour patterns received legitimising authority from the same scriptures. Such a widespread practice is being reflected in the following statement of McDonell:

> Indeed daughters are conspicuous in the *Rgveda* by their absence. We meet in hymns with prayers for sons and grandsons, male offspring, male descendants and male issue and occasionally for wives but never daughters. Even forgiveness is asked for ourselves and grandsons, but *no blessing is ever prayed for a daughter*. When *Agni* is born it is as if it were a male infant. They clap their hands and make sounds of rejoicing like the parents of a newborn son. There is *no such rejoicing over the birth of a daughter*.[10]

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[9]The special respect accorded to a pregnant woman is directly related to her capacity to bear a son, which is *the* essential duty of a woman as a wife. Manu states categorically: "To be mothers women were created, and to be fathers men" (*The Laws of Manu*, trans. Buehler (*Sacred Books of the East*, vol. 25), ed. Max Mueller, Oxford: Clarendon Press, 1886, 344). Further, "She is a true wife who hath borne a son," Shakunthala tells Dushyanta as she reminds him of his forgotten marriage vows, cited in Kakar, *The Inner World*, 77.

[10]McDonell, *Vedic Religion*, 165; emphasis added. Lewis O. quotes a verse from a folk-song referring to the painful memories of a girl whose birth was not accorded equal treatment: "Vidya said, 'Listen, O Sukhma, what a tradition has

All these point to the fact that the general trend swings between the two extremes of divinisation and dehumanisation, and it fails to take into account the most basic requirement of humanisation. It becomes all the more surprising because only women are eliminated from their rights connected with the humanisation process, that too for the advantage of the male section of devotees. It may be said to be deplorable to the extent that women who are deprived of their rights (which should have been on par with others) are burdened with additional duties, mostly to the advantage of their male counterparts. This gulf between the male and female members of the society was further deepened by the religious sanctions imposed upon the performance of those duties pertaining to women, and the concretisation of their *gendered* social as well as religious roles as it is, for example, reflected and documented in the *Laws of Manu*, and meticulously practised over a period of millennia. The situation, however, seems to be improving in our contemporary India, especially among the secular educated masses, who are able to critically approach religion and related issues with a view to effect changes from a humanistic perspective and, thus, to aim at establishing equality among male and female members of the society.

The dynamics seem to be more or less the same in the case of other religions, too, and Christianity is no exception at that. Christianity, in its initial community recognized the full partnership of its members, despite their sexual differences, and they were not segregated along the gender lines. However, we find the official church assuming a patriarchal structure as it moved from the understanding and practice of "Jesus' movement" to a "house-based community"[11] and, then, into a full-fledged

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started! Drums are played upon the birth of a boy, but at my birth only a brass plate was beaten." *Village Life in North India*, New York: Vintage Books, 1958, 195.

[11]Cea-Naharro, "Women's Right to Full Citizenship and Decision-Making in the Church," *Concilium* 5 (2002), 79. The author, after recalling the theological implications of the Synoptic account of the Syro-Phoenician woman (Mk 7:24-30; Mt 15:21-28) and the story of the Samaritan woman (Jn 4), both of which narrate the fact that citizenship in Jesus' movement was not restricted to women of any specific category, holds that "The experience of full citizenship attained by women in the Jesus movement was continued in early Christianity. This is clearly expressed in the paradigmatic text of Galatians 3:27-28: 'As many of you as were baptized into Christ have clothed yourselves with Christ. There is no longer Jew or Greek, there is no

institution. Following the all-embracing ideology of Christ, the early Christian community was called to promote a non-discriminatory treatment of human beings, no matter what class or caste they belonged to; this is certainly the original holistic perspective that we come across in the account of the creation narrative in the book of Genesis.[12] The received cultural patterns and their inherent limitations in terms of social status and differentiation were questioned and rejected by Jesus, and the early community, to a great extent, shared this original biblical or Christian vision by eliminating differences between male and female stereotypes within the *ecclesia*. Despite the patriarchal background of the Jewish communities around which the original Christian community developed its nucleus, there was no room for divisions based merely on gender; instead, men and women were equal in rights and responsibilities, and their roles were equally respected and recognized by the whole community.

This picture, however, did not last long within Christian communities, as the movement was becoming more and more settled in terms of institutional structures. The original spirit inculcated by Jesus and imbibed by the early disciples gave way to the pressures of social hangovers and, in the course of time, patriarchal structures were re-introduced *damaging* the equality enjoyed by the members of the communities. The shift that we find in the worldview of the creation story in terms of a transition from Adam and Eve being the co-creators and co-pilgrims in the Garden of Eden to that of domination, alienation and enslavement[13] is echoed in the shift we find in the texts of St. Paul himself. The egalitarian understanding of the disciples of Christ articulated in his letter to the Galatians (3:27-28) is in stark contrast with his categorical assertion at 1Tim 2:12-13: "I permit no woman to teach or to have authority over men; she is to keep silent. For Adam was formed first, then Eve." In another place he repeats in the same vain: "The woman should keep silence in the churches. For they are not permitted to speak, but should be subordinate, as even the law says. If there is anything they desire to know, let them ask their husbands at home" (1Cor 15:34-35).

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longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus.'"

[12]Genesis 1:26-28: The image of God (*imago Dei*) belongs equally to men and women, both of them being representations of God's own image.

[13]It is said in Genesis 3:16: "... and he shall rule over you."

"These sentiments," according to Elaine M. Dupuis, "had quite automatically been extended to government, law-courts, universities, and all other social [and Christian religious] institutions,"[14] as Pauline texts assume great value in Christian theological interpretation as well as within ecclesiastical circles.

In order to reinstate equal status among members of the Jesus' community, it requires on our part to involve in a constant deconstruction along with construction of new meanings, which would take into account biblical ideals as presented and endorsed by Jesus Christ among his disciples and the early Christian community. Today we must admit the fact that an option for the poor as demanded by Christ is a universal and open option for life and everything life-giving; on the other hand, it also demands a positive rejection of everything that goes against the life principle, including discriminations based on unchristian societal norms and practices. Then, the call for communion that Jesus has inaugurated with his Good News is to involve all Christians in providing a new order of meaning, which would certainly include a preferential stand for the marginalized and downtrodden.[15]

Although the present organizational patterns of the churches seem to be very much androcentric and patriarchal, we must accept the fact that its inner dynamics and life-blood in terms of emotional and lively faith and effective practice are made possible mostly by the women who become followers and receptacles of Jesus' Good News. Hence, we need a mechanism that would, first of all, neither suppress the initiatives of women within the churches, nor treat their vital contributions in making the churches what they are today as sheer exceptions. It is natural that in the given situation their voices would sound extra-radical as the status quo does not support their demands, and as there exists discrimination along

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[14]Dupuis, "The Women's Movement: A Two Hundred Year Synopsis," *Journal of Dharma* 16,2 (1991), 129.

[15]Of late, the official Church apologises for the past wrongs committed by it as an organization or by its individual members. Certainly, this is a befitting gesture of a really Christian community. I feel that this gesture should be extended to further planes as well. The same Church, given the situation of gender discrimination practised and endorsed, should apologise to its own past and present women members, who constitute the largest group that has been at the receiving end of a lot of discriminatory practices over a period of two millennia.

the line of gender difference. Instead of trying to control their radicalism or to downplay the importance of their causes by asking them to conform to the established gender roles, the churches must be open according to the guidance of the Spirit. Life as well as everything connected to life has to evolve continuously, and this should be so especially in the case of Christians, as their faith is fundamentally a call to fullness of life, which shall not be the right of a *chosen* few alone, but the right as well as duty of every Christian.

Moving from the religious to the political spheres, the dynamics seem to be almost on similar lines. Perhaps, this is so because there is no religion that can be separated from the society as such, and most of the societal behaviours are sanctioned and motivated by one or the other religious foundation. The subtle and complicated dynamics that are operative between religion and politics have their source in this situation. Apart from the religious sanctions enshrined in the sacred scriptures and the norms and rules of behaving promulgated by religious leaders, political leaders take their initiative in introducing and maintaining those rules and regulations (with the tags of penalty attached to them) to design everything according to their patterns and to their advantage. According to Jessie Tellis Nayak, such societies "continue to exist and thrive by using all the tools in their possession namely religion, home, schools, textbooks, legal system, mass media and even women themselves (who have [mistakenly] internalised society's values) to reinforce and continue woman's subjugation and maintenance of a second class citizenship."[16]

Some of the expressions and usages from the west, though coming from previous centuries, would send shocking waves through our nerves. Under the *British North America Act* of 1867, "women, along with children, criminals, and the insane, were not categorized as persons under the law."[17] Later in 1876, a judge in Great Britain stated that women were "equal in matters of pain and penalties, but not in matters of rights and

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[16]Nayak, "Why This Oppression of Women?" 15.

[17]Dupuis, "The Women's Movement: A Two Hundred Year Synopsis," 133. In 1928 the Supreme Court of Canada issued in a verdict that "women *were not* persons and could *not* serve in an official position such as that of Senator." Benham, *Nellie McClung*, 46, quoted in Dupuis, "The Women's Movement: A Two Hundred Year Synopsis," 134.

privileges."[18] The political climate has, certainly, undergone tremendous change all over the world, and women enjoy legal personhood as well as voting rights in most of the countries today. The actual plight of women, however, is yet to undergo a catharsis even in the so-called civilized nations of the west, as well. When it comes to the actual sharing of power women are once again segregated, not because they are not capable of taking the reins but because they are women: in most of the cases, the gender role assignment in the unconscious and conscious psyche of many nations still remains incapable of accepting persons of both genders on the same footing. The recent gimmicks of the Indian politicians on the Women's Bill point to the tip of the iceberg, as most of the leading politicians do not want to give up their political prospects by sharing parliamentary or legislative assembly seats with their female counterparts. At least, this issue points to the fact that our approach towards admitting equity or equality to women is not all well; a lot more is to be done both at the political and at the mass conscientization levels. Until and unless the common psyche is transformed to accept equality concepts along the gender lines, and until and unless the public can be mobilized for this purpose, no politician or political party will come forward to stand for the cause of equality of both genders. From a practical perspective, it is an unfounded hope that those male politicians who hold the reins of power would relinquish power on their own for the sake of equal treatment of women. Hence, only non-political movements, such as NGOs and education systems, can become the beacon lights, and lead us closer to the ideal of equality of men and women within the shackles of political power.

Humanity has to go forward in a humane and healthy manner, of course, with the assistance and guidance of religion and politics, by admitting and assimilating the value of people belonging to both genders, and especially by according women their due rights and roles. Human sexuality, which is at the basis of gender differentiation, shall not be made a tool of asserting domination and power over women and, thus, to vitiate human creativity and relationships among human beings, but has to be made an effective means of integration of humanity at all levels.

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[18]Benham, *Nellie McClung*, page 45, quoted in Dupuis, "The Women's Movement: A Two Hundred Year Synopsis," 134.

4. A Philosophical Critique

Philosophy, it is said, begins with wonder, wonder at everything, including human beings. This wonder has to provoke us to ask meaningful questions and ultimate answers. If this process is conducted correctly by taking the reality into consideration the resulting data can lead us to true knowledge and right actions. On the contrary, if the process itself were wrongly conducted, it would lead us to false knowledge and wrong actions. Given the human situation, it is possible that the process of knowing can be rightly or wrongly conducted and, hence, we cannot always be absolutely sure whether an accepted understanding about any reality is absolutely true or false, and the ensuing actions right or wrong. However, it is feasible that a wrong action pattern can be made right by identifying and correcting a false conceptual data at its basis. This requires a constant and diligent going back to the processes that are consciously or unconsciously carried out by individuals and the society as a whole, critiquing them so as to rectify the methods adopted, purifying the content of knowledge arrived at and, thus, to change the patterns of human action.

In the context of the preceding discussion on gender discrimination as it prevails in our families and societies, we can try to identify a philosophising process at its background. To a great extent, it is true that the categorization of feminine and masculine traits and tasks is mostly the work of male members of our society. We can also identify that the long standing tradition and culture of setting aside female members against the male members had attracted the blessings and sanctions of the religious as well as political leaders, eminent thinkers and law makers of the society, these latter sections being constituted solely (or mostly) by male members. Every society projects its own rationale for inculcating a worldview and behaviour patterns, whether they be true or not. It is only by a constant critique of gender related issues that we would be in a position to evaluate them and, if needed, correct them both from a theoretical and practical perspective. However, it must be borne in mind that any philosophical critique is carried out by a person (or a group of people), the procedures adopted and the conclusions arrived at, would be very much influenced by various factors related to the nature and upbringing of those involved in the philosophising. In other words, we must admit that reason cannot be always neutral, even when it comes to philosophising. Philosophising carried out by a male member of the society, for example, may naturally

have its deficiency in taking into account the holistic aspect of humanity in terms of male and female; his perspective would be determined by the (male) 'being' that he is, and the (female) 'non-being' that he is not (or that which he cannot be).

In the history of philosophy, we find this type of a process being initiated at various stages of human development. Plato, for example, advocates a bio-psychological view in his *Republic*, in which he argues that deep innate differences exist among human beings and the society derives its structures from the hierarchy of talents identifiable among human beings. So the behaviour patterns adopted by different individuals may be different, and such a difference is directly proportionate to the difference in their nature itself. This, in other words, is an attempt to equate behaviour and human nature. If looked at from the perspective of discriminations (in terms of behaviour patterns and social structures) existing in our society, Plato would argue that they are directly corresponding to the difference in the nature of those among whom such discriminations exist. According to such a view, gender discrimination is a natural and acceptable practice that has its foundation in the bio-psychological diversity of human nature shared by male and female members.

Aristotle, the other great figure from ancient Greek philosophy, on the one hand, regarded sex difference among human beings as something non-essential and, on the other, held that there is a quantitative and qualitative deficiency among women when compared to their male counterparts. Seemingly, from a phallic perspective, he held that women are partial or mutilated males, thus assigning women a weaker and inferior position in the reproductive[19] and social functions. Having accepted the male as the paradigm of human beings and the male considered to be better than the female, Aristotle pictured the female in terms of an inherent lack of certain attributes of the male, thus being qualitatively different in nature and unequal in treatment. According to him, the male principle contributes form and the female principle matter in the generation of a child. This metaphysical explanation of the male and female in terms of

[19]According to Aristotle, "the female, in fact, is female on account of an inability of a sort, viz., it lacks the power to concoct semen out of the final state of nourishment because of the coldness of her nature[!]" *The Generation of Animals*, trans. A. L. Peck, Cambridge: Harvard University Press, 728a8, 103.

form and matter, or potency and act, gives an apparent rational foundation for his view on sexual difference and the resulting unequal treatment. For he held that "the female *qua* female, is passive, and the male, *qua* male is active."[20] The natural consequence for Aristotle is that the active becomes the ruler (being rational in nature), and the passive female (assumed to be irrational) has to be satisfied with a submissive role in the societal functions.

Thus, the inferior status accorded to women is not a modern phenomenon at all; it seems to have existed all through ancient civilizations, the norms of which were mostly set by their male members. Those norms have set the pattern of behaviour on an unequal footing, leading to unequal treatment, which received rationalisation and approval from the prominent thinkers and lawmakers. However, we can identify the fact that a faulty conception of the nature of and relationship among human beings, especially regarding sexual difference, resulted in formulating unhealthy regulations and alienating practices, leading to the establishment of an unjust social structure, which was erroneously accepted to be founded on *rational* nature, *rational* being falsely equated to the *masculine* gender. This bears witness to the fact that any faulty conception accepted without proper analysis, questioning, and an ongoing evaluation can become the birthplace of lasting evils in any society.

From among the Christian thinkers, the philosopher-theologian St. Thomas Aquinas was of great influence in forming the intellectual backbone of Christianity from the medieval period onwards. Taking cue from Aristotle, Aquinas developed an understanding about the gender differences, within which he assigned an unequal status to women among believers as well as within the society as a whole. It might be said that rather than rectifying and infusing the age-old problem of gender discrimination from the perspective of Christian faith, a discriminative philosophy on sex difference got consolidated with the influential writings of St. Thomas. According to him, "... the image of God is found in man, not in woman, for man is the beginning and end of the woman, just as God

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[20]*The Generation of Animals*, 729 b 14-16. A parallel can be found in distinguishing the male and female in terms of active and passive principles in the Indian thought as well. According to the *Samkhya-Yoga* tradition, reality is a combination of *purusa* and *prakrti*, the former being the male and active principle, and the latter the female and passive.

is the beginning and end of every creature."[21] This inherent difference, and the primacy of man over woman, according to him, would remain as long as we live on this earth, and the only possibility to overcome it is a resurrected life. The physical difference of sexes was incorporated into the theological articulation of Christian faith, whereby instead of animating and perpetuating an equality conception among Christ's disciples, Aquinas was able to stabilize and theologically back up the then existing practices of discrimination based upon gender. Instead of becoming an instrument in realizing that most of the differences along the gender line are neither based on Christian principles nor inherent in human nature, but only the imposition of societal and cultural norms and practices, his genius was utilised to stabilise the status quo of inequality and injustice related to gender discrimination.

These sample discussions on the contributions of philosophers point to the fact that the so-called rational philosophy is not always a neutral instrument in the hands of philosophers. Such philosophies have perpetuated norms and stereotypes associated with gender differences, and have resulted in disadvantaging and mutilating men and women alike down through the history of humanity.

> Our ideas and ideals of maleness and femaleness have been formed within structures of dominance... The male-female distinction itself has operated not as a straightforwardly descriptive principle of classification, but as an expression of values... What is valued – whether it be odd as against even numbers, 'aggressive' as against 'nurturing' skills and capacities, or reason as against emotion – has been readily identified with maleness. Within the context of this association of maleness with preferred traits, it is not just incidental to the feminine that female traits have been construed as inferior – or, more subtly, as 'complementary' – to male norms of human excellence. *Rationality has been conceived as transcendence of the feminine*; and the 'feminine' itself has been partly constituted by its occurrence within this structure.[22]

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[21]Aquinas, *Summa theologica*, (*Great Books of the Western World*, vol. 19), 495.

[22]Lloyd, "The 'Maleness' of Reason," in *Epistemology: The Big Questions*, ed. Linda Martin Alcoff, 387; emphasis added.

Thus, "philosophy is not necessarily what it has in the past proudly claimed to be – a timeless rational representation of the real, free of the conditioning effects of history."[23] Every philosopher reflects the society in which he is born and bred, although some of their insights certainly take us far beyond the constraints of the present, opening up new vistas for a holistic life in the years to come. To the extent he or she becomes the mouthpiece of the existing social structures, his or her contributions can become enslaving and oppressive not only to the contemporaries, but also to the future generations. From this perspective, gender differences need not be accepted as rationally (or, least, divinely) established norms; such an understanding may lead us to identify those differences as a source of richness and diversity shared by and accessible to humanity as a whole.

Realistically speaking, however, it is difficult to hope that the thinkers who gain from the perpetuated inequalities and oppressive structures would become instrumental in proposing philosophies of liberation. The only hope, however, is the philosophies that can emerge from those who form part of the oppressed classes; for, according to Alison M. Jagar, "their pain provides them with a motivation for finding out what is wrong, for criticizing accepted interpretations of reality and for developing new and less distorted ways of understanding the world."[24] If they can avoid the mistakes of the past, especially the partial understanding of reality that was mistakenly depicted as *the* reality, we can be hopeful that a holistic approach towards understanding sexual difference as well as gender difference without giving way to discriminations based upon such differences. Given the status quo of discrimination, what is called for is the readiness to involve in a process of deculturalization. That is, in order to get out of the dehumanising understanding and practices associated with gender bias, we have to involve in a process of identifying the elements contributed by socialization processes and cultural elements. Such a process can positively help us to exorcise our own society from the unhealthy and dangerous vestiges associated with socialization and culture.

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[23]Lloyd, "The 'Maleness' of Reason," 391.

[24]Jaggar, *Feminist Politics and Human Nature*, Totowa, NJ: Rowman & Allanheld, 1983, 370.

Positively approached, sexual difference and gender identities need not lead us to oppressive structures, and to transform them into the instruments of exploitation between man and woman. It is true that as the degree of being increases, male-female polarization becomes wider and intense. However, it is also true that as the complexity of being increases, there is a corresponding increase in consciousness, enabling this complex being to bridge or bring together those that are apparently at the opposing poles. This is also true of the male-female polarization that is at the basis of gender discrimination. We must admit that such an apparent polarization found in human nature is good and admirable, provided we are able to accept and integrate and, thus, constantly redefine our male or female identities (not as competitors but as partners and collaborators), paving the way for mutual understanding and acceptance, expressed in their ability to put together their joint experiences for the benefit of the whole humanity at individual, societal and religious levels. In other words, we are in need of a philosophy that would pave the way for an equal treatment of women and men, and would provide the avenues for a full participation of members of both sexes in all social spheres.

5. A Healthy Family to Overcome Gender Discrimination

A family is the basic unit of a society, and is constituted by the coming together of a pair of male and female persons united by the socially or religiously accepted rite of marriage. As the formation and maintenance of a family normally involves persons of two different sexes whose psyche would be influenced by the cultural and social constructs, discriminations that we find in the society as a whole are very much prevalent in the family, too. Some sociologists are of the opinion that these discriminatory attitudes and practices have their initial budding within the family. Hence, the very first step in eliminating gender discrimination has to begin from the family itself.

An important problem within a family is that the members take it for granted that whatever they think and do, in no way involves any type of discriminatory attitude or practice. Mostly, no one finds anything defective with the man-woman relationship of domination and subordination as it is practised in our families: whatever the past generations had been doing and that which is continued in the present is

the 'right' and the 'normal'. New generations are born and trained in this situation that they take the status quo for granted; it is very seldom some one comes up to challenge it, even when he or she has to suffer its brunt.

Except for a few matriarchal traditions, the prevalence and influence of which is on the wane in our traditional societies, the domination of the male members of the family is conspicuous all over. Although interdependence is a practical factor that pushes and pulls the family unit together, it is the dependence of the female on the male that is being stressed and overstressed, as the male is considered to be the bread-winner in a traditional family. The cultural and social constructions of gender roles, from a negative perspective, have bequeathed to us, especially in the Indian society, passivity and dependency on the part of women against the active and dominating nature of the male. Although women enjoy a relative freedom and independence within their private domains,[25] the situation seems to undergo a drastic change in the social realm: a discriminatory attitude is very strong as women are made to be passive spectators when it comes to a decision making even on the most basic issues or common concerns within the family. The situation is not altogether different even in those families where women are increasingly educated and independent. Although many have considerable freedom as how to manage the household, discriminatory attitudes and practices prevail among them as well.

Children born and brought up in such a situation naturally imbibe this as the value that they have to cherish and practise, which, in turn, make them the passive abiders and active perpetrators of the same value system. Discrimination along the gender lines becomes a major element in their training at home, as many a time a boy is given preference over a girl. The attitudes of domination on the part of the father, and that of subordination on the part of the mother that prevail in any family are gradually and meticulously, though most of the time unconsciously, transferred to the children; as a result, it is the son who enjoys all rights

[25]Kakar points to the influence a wife can have on her husband in matters of importance: "Although the wife of the family patriarch may indeed pay a formal, and often perfunctory deference to her husband, especially in front of strangers, she may exercise considerable domestic power, not merely among the other women of the household, but with her husband, and she often makes many of the vital decisions affecting the family's interests." Kakar, *The Inner World*, 118.

and privileges as against the duties and responsibilities imposed upon the daughter. This being the rule of the day in a traditional family, no one challenges or questions such apparently *innocent* practices; it must be added that in truth they are not at all innocent, but subtle mechanisms through which discrimination against women is practised and perpetuated in our society. Undue importance and privileges enjoyed by anyone – whether it is a boy or girl in a family, or anybody in the society, for that matter – will gradually lead him or her to the comforts of individualism at the expense of those who are underprivileged. An attitude of individualism would damage the fabric of a family, when it surfaces among the married couples or among little children, sometimes even in matters that seem to be too negligent.

The age-old ideal of autonomy has won currency in the modern age, especially in the context of realizing freedom from the fetters of oppressive social structures, including gender discrimination. Although autonomy of the individual is a worthy ideal from the perspective of the blossoming of individual persons, especially from the perspective of those male and female members who have been liberated from the clutches of cultural and social stigmas associated with gender distinction, in the context of planting and nurturing a healthy family as the cradle of healthy gender relations, it cannot be understood as the assertion of an individual's personhood as against everyone else in isolation. Autonomy is not an isolated exercise of one's individual powers, but a power that has to become a powerful ingredient in laying the platform for the communion of everyone in a family or society, where persons belonging to both sexes can continue to flourish without being threatened by the so-called autonomous actions of others; in fact, any autonomy is human autonomy only when it is seen from the perspective of the communion of human beings.

In this context it must be said that our orientation to form a healthy society, where gender roles and their differences shall not motivate the practice of gender discrimination, should begin in the small unit of a family. It shall not be the mere coming together of "two [autonomous], successful careerists in the same bed" to involve in "a prolonged and impassionate negotiation as to how things shall be *divided*" in consuming

"a large quantity of merchandise and *a large potion of each other*."[26] This is a typical representation of the individualistic (certainly, not autonomous as I understand it) attitude that prevails in our modern technocratic society. Gross continues to draw a picture of a family typically different from the former as follows:

> There are, however, still some married couples who understand themselves as belonging to their marriage, to each other, and to their children. What they have they have in common, and so, to them, helping each other does not seem merely to damage their ability to compete against each other. To them, 'mine' is not so powerful or necessary a pronoun as 'ours'.
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> This sort of marriage usually has at its heart a household that is to some extent productive. The couple, that is, makes around itself a household economy that involve the work of both wife and husband, that gives them a measure of economic independence and self-employment, a measure of freedom, as well as a common ground and a common satisfaction.[27]

A family shaped on a shared platform between the wife and husband, between the parents and children would naturally inculcate a positive attitude of dynamic cooperation and active sharing among the children. The total involvement of father and mother in everything pertaining to the family life, from the boring but taxing daily routines to the planning and vital decision makings, would set the trend for the children who would naturally be influenced by the caring and sharing attitude that exists between the man and the woman, i.e., the parents. Certainly the children observe and understand the value of interdependence between the parents who lay the foundation of a society.[28] Such a family is also the ideal place to nurture equality and sharing among male and female members of the family and the society.

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[26]Gross, "What Went Wrong? Feminism and Freedom from the Prison of Gender Roles," *Cross Currents*, Spring 2003, 34; emphasis added.

[27]Gross, "What Went Wrong? 34-35.

[28]Hence, Aristotle holds that the family has the unique distinction of being "the first community." *Politics*, in *The Basic Works of Aristotle*, trans. W. D. Ross, ed. Richard McKeon, New York: 1941, 1138-39 (1257).

6. Planning a Family for Better Gender Relationships

In general parlance, Natural Family Planning (NFP) concerns primarily with the timing of sexual intercourse between married couples so as to avoid an imminent pregnancy, and the planning of the family in terms of the number of children. The immediate response that can surface from a student of philosophy is: why should our discussion about family planning, which should be by all means natural, be restricted to the issues of sexual intercourse and number of children, although they are certainly of importance? Isn't the purview of a family wider and broader than sexuality and sheer number of children? From the perspective of gender difference and the consequent discrimination prevailing in our society, I am of the opinion that our discussion about natural family planning should include all members and dimensions of a family, which, then, can lead us toward the formation of healthy individuals, and through that the realization of an integrated and balanced society.

Nature has designed human beings (along with the rest of the biosphere) with a duality of sex, affecting the inner personhood of each individual. Sex, as well as the physical and psychological differences along with it, certainly has a great influence in making a person what he or she is, and the way each one will be relating to the other – whether of the same sex or of the other. The primary requirement of being a man or woman is to accept the natural fact that one is either a man or a woman – not both – and the need for their intimate partnership and mutual collaboration in all facets of life. The failure to accept one's own sexual identity, and the consequent attitudinal immaturity may lead a person to an unhealthy alienation of oneself from others, and an oppressive and unhealthy treatment meted out, especially to the members of the opposite sex. It may also turn out to be the cause of either a dominating or a subservient attitude, both of which are unhealthy as far as a human being is concerned. This type of an attitude stemming from sexual difference – influenced and motivated by social and cultural forces – can generate a bias among such individuals. It has the gender-related issues at its core, and such a gender bias will permeate everything that the individual is and becomes, vitiating the person himself or herself by involving in unhealthy discrimination against persons of the opposite sex. This is actualised in our society in varied forms, and our foregoing discussion points to the fact that men seem to be the primary agents in and beneficiaries of perpetuating

such discriminatory attitudes and practices. This, however, being a tendency that acts against the very complementary nature of human beings created as male and female, it is the responsibility of people involved in deliberating upon such issues to unveil its deficiencies, and chalk out an action plan to come out of such a ghetto mentality. A family set up seems to be the ideal place an individual can be trained in this healthy and holistic approach towards gender difference and integration. This, in turn, calls for imparting training to the individuals who form the family, so that they would consciously strive after the realization of a healthy attitude towards persons of both sexes.

The practice of gender discrimination prevailing in our society is reflected in various practices within families, including the sexual intercourse that may lead to a pregnancy and childbirth. The preference for a son and the dislike for a daughter, consciously or unconsciously resulting from the gender bias of the couples concerned (motivated mostly by social and cultural factors), instigates the latter to look for ways and means to assure themselves about the birth of a son. Even among those who practice NFP, some say, it is only a question of timing the sexual union to relatively make sure that the resulting foetus is male.[29] That is, an intended couple can observe the ovulation cycle, and decide to engage in the reproductive act in such a way that they can negatively avoid the birth of a girl, and positively be assured of a son. Although this may not be considered as a cent per cent foolproof method in birth control and planning the sex of the child, those who resort to it – even if they claim to be following the nature's own way – are influenced by a gender bias, and motivated by a deliberate preference for a boy against a girl. Although this does not involve anything strictly artificial, except for a conscientiously arranged timing, this seems to go against nature itself, and natural morality, as the couple involves in a deliberate act to avoid the birth of a girl.

Another important area of gender discrimination is the ghastly treatment meted out to female foetuses. In most Indian families, especially among the lower income groups, the birth of a girl child implies "utter despair and doom" for the family. The considerations may vary from

[29]According to medical findings, the life span of a non-united female zygote is, approximately, only 48 hours, while that of a male zygote is 72 hours.

religious to economical. Whatever they are, the news of the birth of a baby girl is not accorded the same welcome as it is done to a boy.[30] Moreover, female foeticide and infanticide are still prevalent in many regions in India. Although in most of the cases the termination of the life of a female foetus or girl child is being carried out by women themselves – by the grandmothers, mothers, midwives, nurses, or lady doctors; finally, in this case, they are responsible for pulling the string at the end of the whole issue of gender discrimination. Of course, it is the society that is morally responsible for motivating these women to resort to such a drastic step of taking the life of a girl, as gender distinction is equivalent to social and cultural discrimination at every level. They have been fed by our male-dominated society that girls are a burden in terms of cultural and economic factors.

The same is to be stated about the amniocentesis, to the extent it is considered to be a diagnostic procedure to determine the sex of an unborn child. Although originally it was designed to detect genetic abnormalities in the foetus with a view to possible early treatment, the socio-cultural bias of the Indian society has transformed it into a perfect and quick method to eliminate the 'unwanted' daughters even before they were born. Despite the government ban on sex-determination clinics and their services in conducting sex-determination procedures all over the country, the method is being *effectively* practised. Is this part of planning a family? Certainly, many (wrongly) feel so. Apart from the whole procedure being dangerous to the health and life of the mother (when it comes to the medical termination of pregnancy, MTP), in effect it also enforces a discrimination against fifty per cent of our human race, women, just because they are wrongly and unjustly considered to be a liability, and inferior to men! While legal protection of the female foetuses is a must and a welcome step, in itself it is not sufficient to eliminate this evil practice from our society. It requires effective measures and popular movements to conscientize our general public[31] and, thus, eliminate the underlying causes of gender discrimination that have reached such a colossal stature.

The gender discrimination is visible in many other forms within the family set up. It starts at a very early age, and can be observed even in the

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[30]See footnote 10.

[31]Lobo, "Women's Rights and Reproductive Technologies," 25.

habit of serving food at home. While the 'goodies' are often served first or reserved for the sons, the daughters have to take the second place in terms of order, quantity and quality. The discrimination that the girls experience at home is not limited to the food-serving habits alone; it reaches all the inner recesses of family life. If any sacrifice has to be made, even when it comes to the issue of imparting basic education, the choice naturally falls on the girl child. The implicit assumption is that she has to be sent away to another house and, hence, it is not a worthy investment!

From an economic perspective and in the light of the dowry system existing in the Indian society, daughters are considered to be a burden on the family exchequer. The birth of a daughter means an unmitigated expense to the family, who will take away a considerable part of family's wealth as dowry at the time of marriage. Or, in the case of a poor family, the same situation will lead to a huge debt in making provisions for the dowry. Perhaps this is the context within which the following proverb has its origin: "If he begets more than five daughters even a king will become bankrupt ultimately." Thus, the woman who takes a dowry, which her family cannot afford to, seems destined to crush the family with marriage and related expenses and, hence, she is regarded with neglect from birth. Now the pertinent question is, whether the system of dowry shall be continued unchallenged, or shall not we dream and work towards a society that is free from dowry hazards? In the context of overcoming the gender bias and discrimination in Indian families, especially against women, and the equality that both genders have to enjoy, can't we have a system of sharing the parental property equally among the children, whether they are male or female? The interdependence and integration that we have been speaking about require that these temporal matters are also given sufficient consideration and positive response so that male as well as female members would not feel being a burden on the family property. Daughters being their children, parents (as well as the sons) do have a bounden responsibility to extend equal treatment to them, and that has to be done without the negative stigma of the society in terms of dowry; it shall not be out of the 'mercy' of the parents and brothers, but shall be the right of all daughters (or sisters) to claim their legitimate share from the parental property. This, to my mind, is a concrete step in realizing the ideal of equality within the family, although this may, for some time, lead to tensions between daughter(s) and son(s), as the sons are not used to

sharing the parental property in a proportionate manner with their sisters. Once an accepted practice, certainly this will give way to a better acceptance of women in our families and in the society as whole, and the discrimination meted out to them will certainly be lesser.

The above discussion points to some of the concrete issues in connection with gender discrimination and the realization of the equality concept, as its solution has to begin within the context of a family. Certainly these are only pointers, and much more could be done if the basic attitude of interdependence and equality is accepted and practised. Certainly, whether it is among the individuals, or within the family set up, or on the wider horizons of the society, any tradition that tries to suppress the dignity of human beings, especially of women in the context of millennia-old gender discrimination, should be questioned and condemned, and corrective measures introduced.

In order to facilitate this, nothing shall be accepted uncritically, even when it comes to the issues of daily living if it were to involve any type of discrimination. Women should be more and more encouraged to challenge and change the status quo if it were to result in discriminating against them, merely because they are women. May be, the beginnings have a revolutionary outlook, as most of the feminist movements are universally labelled today. It can certainly have the quality of a reaction, which, when put in practice, will have a negative tone and outlook; however, in the course of time, a reaction will turn out to be a proper response, or a positive response, in that it would be an attitude and approach that could be (and should be) adapted by everyone in the family and society, both women and men. Our target shall be the generation of healthy individuals who would constitute healthy families as well as healthy societies, which would result in the building up of a creative network of sharing and cooperation within which independence and interdependence of all individuals shall be the hallmark, cast against the framework of a community.

7. Conclusion

The ideal of partnership and collaboration among the members of different genders is an ideal, posed against the reality of gender discrimination prevalent in various spheres of our personal as well as societal life. We

are familiar with the contrasting expressions such as real and ideal, legal and ethical, and material and spiritual. Even when we have realized total integration, these distinctions may remain in our articulation. However, it becomes necessary that we move from the real to the ideal, from mere legal to ethical, and from a discriminatory existence to an existence of equality and sharing despite individual difference and preferences. From a legal perspective, it is quite sufficient that all of us subscribe to what is being enacted by the legislature, admitting variations from state to state, or from nation to nation. Certainly, these legislations are external, as they are deliberated and enacted by an external body, although they are constituted by a democratic election – choice of the people – and have only their limited value. As the founder of Existentialist school of thought, Kierkegaard has opined, ethical level is quite distinct from the legal; growth of a person, according to him, has to be clearly a movement from the latter to the former. The ethical is distinct from the legal in such a way that the former does not consist in adapting ourselves to any external norms, rules and regulations, but precisely in being autonomous, and in charting out a life with responsibility and generosity. It does not stop merely in being and becoming ethical; it is not the final stage. It has to move towards the religious or spiritual, and it is all the more so from a Christian perspective. Despite the frequency of failures in fulfilling the legal regulations and ethical norms, they are lighter compared to the demands of the spiritual. In the realms of the spiritual, one has not only to fulfil the legal and the ethical, but must go beyond all the set patterns and accepted modalities. It is a call to change one's individual and societal perspectives to one of communion fostered by the spirit of *agape*, that which demands unconditional, non-profitable, and life-giving and life-enriching self-giving.

Proper education shall be considered one of the essential means to combat gender discrimination.[32] Gender bias would keep on breeding

[32]True, education, especially when we understand it in terms of the technical education imparted toady, alone is not the answer. P. Amalorpavamary records an incident from Punjab in which education does not matter at all when it comes to female infanticide: "According to a study conducted in Punjab and Haryana, the most affluent states in India, the second and subsequent girl children experience 32% higher mortality than their siblings if their mothers are uneducated but this gap jumps to 136% if the mothers are educated. It is shocking that it is not due to poverty these annihilations take place. In this age of globalisation and consumerism, even educated

gender bias, until and unless this vicious cycle is brought to an end. First of all, it requires that the educators themselves are liberated from the gender bias; only then they can be the instruments in mobilizing the whole society to cultivate a healthy attitude towards members of both sexes, accept and cherish the different gender roles as contributory to the growth and flourishing of the humanity as a whole. Our present educational system that gives more importance to technological and professional training, therefore, has to be recast in such a way that along with and apart from the technical expertise and professionalism that the students attain, there should be an effective mechanism to inculcate humane values. The discrediting attitude that prevails in our present educational system against humanities also has to be rectified. Let there be ample opportunities for everyone to nurture those values that should be part of the integral development of any normal person. Moreover, from the perspective of gender equality, we have to insist on the fact that education has to be done in a natural set up, where both boys and girls grow and learn side by side, understanding each other, imbibing the common platforms and values that they share. Schools and colleges have to be not a different plane altogether but an extension of the family situation where all can learn and grow together, understanding and accepting natural differences in terms of sex and age, performing the respective gender roles to the extent they are meaningful and helpful for the flourishing of the personality and, thus, becoming persons of integrity.

Another area of interest in this regard would be the official set up of the decision-making bodies within the Catholic Church. If we were genuinely concerned about establishing gender equality, the official church has to take the initiative to give equal representation to men and women in parish and diocesan councils. Given the present situation, it may not be an easy step, because most of the ecclesiastical bodies are the exclusive domains of men. Without challenging the present structure of ordained ministries, why can't we think of re-structuring the ecclesiastical bodies? Why can't women also deliberate and decide about the policies and temporal matters of the church, which involve the life of all the faithful including themselves? They are equally competent in any field, provided

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rich women want to lead a comfortable life with less female babies and they do not hesitate to do away with them in the event of conceiving them." "What Makes a Woman a Woman?" *Satya Nilayam* 3 (February 2003), 104.

they are given ample opportunities and training. If the church is ready to fight gender discrimination in any form, then we have to be open, and involve in introducing structural changes as well.

Legislation, civil as well as ecclesiastical, shall be introduced to make the equality of genders a reality. The realization of this ideal, however, shall not be brought about merely by legislation. In most of the cases, laws along with different coercive measures, and law-enforcing machineries are helpless, until and unless the concerned individuals are ready to imbibe the spirit of the law, and translate it into practice. For, law can demand and create only the minimally required or acceptable condition. From an ideal or moral perspective, apart from the laws, there should be other incentives – most of which would be non-coercive in nature – in the form of personal support as well as explicit encouragement for those who engage in promoting and perpetuating gender equality.

Our target is not the emancipation of women alone at the cost of men and their lives. Taking the reality of gender discrimination at all levels into account, it is the responsibility of everyone to see that justice is done to all. A long-standing history of oppression resulting from discrimination on the gender lines meted out only to women of all cultures and traditions, religions and nations calls forth a preferential option to support their causes so that reparation shall be done to the past mistakes. An option for the oppressed need not be at the exclusion of those who were at one time the oppressors, but can certainly be an option for life, and for a life in its fullness shared by men and women alike. Let the human commitment to the fullness of life be made visible in getting positively involved in concrete issues related to any type of discrimination against life by standing for life and for life alone.

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BOOK REVIEWS

Watson, Natalie K., *Feminist Theology*, Grand Rapids, New York: William B. Publishing Company, 2003, pages ix + 110, ISBN: 0-8028-4828-1.

This book is a long awaited tribute to all those who lament for lack of works in Feminist Theology. To the wealth of material on feminist theology, this book will be a valuable gem. It is a fact to be recognised that the amount of literature published in feminist theology has increased exponentially in recent years, as the annotated bibliography in this book testifies. Constructive re-reading and re-thinking in Christian faith through a feminist glass has been an important milestone in modern theology. This book could be a handbook for those who are stepping into feminist theology, as the book opens out itself to the methods, ideas and valuable contributions of recent feminist theology.

The book is divided into two parts and an annotated bibliography is an added advantage in the volume. The first part of the book deals with "Scripture and Tradition." The introduction to feminist theology opens before the reader new avenues into feminist theologising and its goals. After defining feminist theology as a critical, contextual, constructive and creative re-reading of Christian theology, Natalie K. Watson enumerates feminist ways of reading the Scripture. According to her, three different categories like the reader, the text and the context are of great importance in evaluating how feminist theologians understand the Scripture.

In speaking about the question of the canon and the authority of the Bible, I do agree with the author in her statement that large parts of the Bible do not mention women, their experiences or perspectives at all. However, I have reservation about the question that follows in page 11: "What authority can biblical texts such as the Psalms, which are the patriarchal worldviews, have for women?" The question seems to be that of an extreme position. Why don't we be optimistic about the Scripture and its authority for women, too? In spite of the patriarchal worldview there are books in the Bible that highlight women, their experiences and achievements. So, why to deny the authority of certain books? The section on feminist ways of reading the Scripture ends with a positive note

stressing the need to engage with the Christian past and reclaiming women's presence and participation in it.

In the section on "Women's History and the Development of Feminist Theology," the author makes clear what feminist theology is and how it grew in different phases of history. While enumerating the contributions of women theologians during the Reformation period, the author almost makes an attempt to give a biography of those Feminist Theologians, which almost seems like an additional note to the book. The illustrations about women's history and development of feminist theology throw light into the rich heritage and contributions of the early feminist theologians, which are seldom given their due recognition.

The second part of the book is an invitation to glance through the specific themes in feminist theology. The author gives an introduction to the terminologies and concepts used by feminist theologians and gives a bird's eye-view into the themes in feminist theology such as "Beyond the Maleness of God: Rethinking Male God Language," "Challenging the Maleness of Christ: Feminist Approaches to Christology," "Feminist Anthropologies and Women's Bodies," "Feminist Discourses of Sin and Salvation," "Feminist Rethinking Mary and the Saints," "Women are Church: Feminist Reconstruction of Ecclesiology," etc. While discussing the theme on "Women are Church: Feminist Reconstructions of Ecclesiology," I wonder why the author do not make any mention about the theme of feminisation of the Church! The second part of the book is a compilation of different themes in feminist theology and so it leaves very little room for the personal contribution on the part of the author. Feminist theology is in a process of development; so, too, are the themes discussed in the book. These themes can open up new vistas and avenues for further new themes, themes that are relevant according to different contexts that could find room in the discussions of feminist theologians.

This book is a signpost for all those who are searching for a handbook on feminist theology and it could be an eye-opener as well for all those who treat feminism as a threat to the Church. As I glance through the extensive annotated bibliography, and being a student of theology hailing from India, I hope for a day when the Indian Feminist Theologians would find their place among the stars in the galaxy of feminist authors.

Sheela Nicholas

Stanley, Brian, ed., ***Missions, Nationalism, and the End of Empire***, Studies in the History of Christian Missions, Michigan/Cambridge: William B. Eerdmans Publishing Company, 2003, pages x + 313, ISBN 0-8028-2116-2.

Missions, Nationalism, and the End of Empire is a collection of selected articles on Christianity, nationalism and the dissolution of the colonial empires in Asia and Africa. The articles of this book were all originally presented as papers at a conference, "Missions, Nationalism, and the End of Empire" held at Queen's College, Cambridge, from 6 to 9 September 2000.

Missions, Nationalism, and the End of Empire highlights the hidden yet open, silent yet eloquent, imperialist yet evangelical, passive yet active, local yet global, compelled yet committed contributions of the Christian missionaries in the evolution of nationalism coupled with universalism at the end of the British empire in Asia and Africa. Systematic progress of the subject is visible in different articles and it adds credibility to the work. The whole book is divided into three parts and thirteen chapters. At the beginning of the book, a helpful description about the contributors is given and then there is an "Introduction: Christianity and the End of Empire" by Brian Stanley, the editor. An elaborate bibliography of important secondary sources and a detailed index are found at the end of the volume.

The first part of the book deals with the "Missionary Traditions, National Loyalties, and the Universal Gospel." Adrian Hastings, in his article "The Clash of Nationalism and Universalism with Twentieth-Century Missionary Christianity," establishes the truth about the Church that it is both universal and national, through his penetrating perception of the reality taking into account the historical vicissitudes of the missionary endeavours. The author presents the typical tension prevailed between universality and particularity in different quarters of the Church and yet points out the healthy trend emerged as its result: "In fact, of course, if Propaganda Fide was the enemy of missionary nationalism, its own tradition had been decidedly Roman imperialist, something that could be quite as stifling of legitimate diversity" (32). Hartmut Lehmann examines the missionary activities of a few prominent German missionary societies between 1919 and 1939, namely, the Berliner Missionsgesellschaft, the Rheinische Missionsgeselschaft, Norddeutsche Missionsgeselschaft, Bremen and Leipziger Missionsgeselschaft. The author points out that

World War I was a catastrophe for all German missionary societies. The political upheavals of Germany were reflected in the missionary consciousness and commitment. In this connection the author highlights tension of the missionaries between the rebuilding of a strong Germany and their commitment to build up the kingdom of God worldwide. As a result, the missionaries promoted a genuine Germanness and true Protestant faith in Germany and the indigenous churches in Africa and Asia.

In his article "Missions and Afrikaner Nationalism: Soundings in the Prehistory of Apartheid," Richard Elphick underscores the efforts of National Party "to make the Christian Religion the foundation of their whole life," opening the vistas for both nationalism and assimilation of the races. With the article on "'The Universities' Mission to Central Africa: Anglo-Catholicism and the Twentieth-Century Colonial Encounter," Andrew Porter establishes that the UMCA members were open to African beliefs, customs, poetry and music which presented an exceptionally responsive gesture to the local world. All the same the author remarks that "their organic, mystical conception of the church, and regard for the centrality of episcopacy in all matters of faith and order, made reforms hard to contemplate" (106).

The second part of the book focuses on the "emergent Christian and national identities in Asia and Africa." Judith M. Brown explores the Indian national identity at the end of the British Raj in India, since by that time "Indian nationalism implied that to be Indian one had to be Hindu" (111). The author mentions the honoured place that the Syrian Christians of India had occupied, as they were "long accepted and integrated among Hindus and Muslims" (113). The article illustrates the tension the nation had at the time to accept an inclusive sense of Indian identity. Ka-Che Yip surveys the uneasy accommodation between church and state in China from 1912 to 1949. The author subscribes to the idea that church failed on both counts: "In not being able to convince the Chinese people of the social necessity of Christianity, they failed to convince the same people of its religious validity" (142). Daniel H. Bays portrays Chen Chonggui as an indigenous Protestant leader who stood for identity and loyalty in an age of powerful nationalism in China. Chēn's career, according to the author, "showed the tensions between the quest for autonomy and the practical reality of the necessity of having sponsors or patrons, both individual and

institutional, foreign and Chinese" (162). Bays concludes the article with an observation about Chen Chonggui that he "demonstrates yet another theme of Chinese Protestantism in the late imperialist and post-imperialist age" (163). Derek Peterson, in his article "The Rhetoric of the Word: Bible Translation and Mau Mau in Colonial Central Kenya," establishes the close connection between Bible translation and the creation of nationalism. He asserts: "Translating the Bible was one way the Gikuyu argued about their divisive, shared past in order to come to terms with the moral and social challenges of colonialism" (179).

The third part of the book concentrates on the Christian responses to crises at the end of empire. John Stuart examines the ways in which British Protestant missionaries attempted to interpret and to come to terms with certain aspects of African nationalism during the 1950s. Caroline Howell outlines the contribution of the Anglican Church to the resolution of the Kabaka crisis through a constitutional settlement. In the analysis of the author, "There seemed to be little reciprocity in the church-state relationship. Though the state had benefited greatly from the church's restraint over the deportation, the church appeared to be progressively sidelined by the colonial regime" (210). Philip Boobbyer studies the contribution made by "Moral Re-Armament" in the era of decolonisation. It was a movement growing from Christian evangelical roots and reaching out to people of all faiths. Concerning the Moral Re-Armament, the author states in general: "MRA productions had an easily discernible moral or religious message. The idea was that audiences might be awakened by drama in a way that direct preaching could not achieve" (221). This movement emphasised "traditional Christian truths in contemporary language" (234). According to the author, "MRA changed many lives and that it was a major force for reconciliation in a number of African states as they moved toward independence" (236).

Deborah Gaitskell makes a comparison of two texts of Hannah Stanton, demonstrating her evolving involvement with Christian mission in the era of decolonisation. In the conclusion, the author illustrates the movement from the first text to the second as "she had moved from apartheid South Africa to independent Africa" (246). Ogbu U. Kalu presents an African historiography that emphasises the religious experience, practices, and initiatives of Africans as the starting point of the story of the encounter with Christianity. Kalu's observation on the role of

the gospel in responding to the challenges of the young colony is remarkable: "They wanted a certain type of biblical religion, tapping the full pneumatic resources provided in the canon, responding to an environment with a predominantly religious cosmology, breaking down the wall between the sacred and profane and thereby bringing the resources of the Spirit world to bear on existential problems and social experience and applying scriptural ethics to family and communal relationships" (268).

Missions, Nationalism, and the End of Empire, thus, illustrates the hidden and providential working of the Spirit in the preaching and reaching the Gospel to one and all – a good glad glorious news to local and global, national and universal, personal and communal, cosmic and eschatological realities. Had this volume included an Indian Christian historian to represent the struggle for Indian national and ecclesial identity, it would have been more representative of the missions in the subcontinent.

However, this edited volume with erudite articles by respected authorities on the history of mission explores and expresses the mysterious working of the Spirit in the missionary endeavours by different churches for the welfare of the whole world. Undoubtedly, the book leaves an impression on the reader that every step in present and future evangelisation should recognise, respect and respond to the diversity of cultures and unity of the Gospel, which guarantees both nationalism of the people and universalism of the Gospel.

Paulachan Kochappilly

Vas, Dominic Charles, *Origin and Destiny: St. Thomas Aquinas and Śri Madhvāchārya – A Comparative Critique*, Bangalore: Asian Trading Corporation, 2003, pages xviii + 508, ISBN: 81-7086-305-8.

Human beings, at the dawn of the third millennium, finds themselves in a critical and transitional phase of history, where the amazing speed of change is further accelerated by scientific progress and technological advancement. Today, from a theocentric worldview, we have drifted to an anthropocentric world vision. The forces of globalisation and the gradual formation of a global village invite us to share both the glories and grievances of the whole humankind, at whatever corner of this planet we

exist and survive. In spite of the numerous human cravings and concerns, there is an underlying sphere of basic convergence in human thought and aspirations. The present day problems and possibilities are challenging us to rethink our traditional religious and philosophical world vision so that we may face the crucial facts confronting us today courageously and trace the true, authentic meanings of life at this point of history.

The present work of Dominic Charles Vas, *Origin and Destiny*, sets before us a genuine model of rethinking and reflection in the saintly and philosophical writings of St. Thomas Aquinas and Śri Madhvāchārya. In spite of being the adherents of different religio-philosophical traditions – the occidental and Christian philosophy of Aquinas and the Indian Vaiṣṇava thought of Madhvāchārya – both had the courage to critically examine the prevailing conceptions about God and his relation to the world and human beings in the light of the problems and prospects of the society and religion of their own times. In spite of the numerous points of divergence in their cultural settings, religious traditions and thought patterns, there is an amazing aura of similarity in their spiritual insights, philosophical vision and approach to God and the world. While successfully demonstrating how Aquinas and Madhvāchārya be accepted as sublime models of redefining our religio-philosophical insights, concepts and ideologies in the light of the realities facing us today, the author in a logical and convincing way presents before us the points of convergence in their approach to the incomprehensible mystery of God and his relationship with the world of beings and human beings.

St. Thomas and Madhvāchārya, representatives of medieval Christianity and Hinduism, are contemporary philosophers, theologians and staunch believers in God. For these theocentric thinkers, God is the "origin and destiny" of all beings. God is the most significant factor in the life of human beings, and for human beings God's knowledge is possible. Though God is a transcendent reality pervading the whole of the universe with its omnipresence, he is also immanent to the world of beings. From the philosophical point of view, both were realists and pluralists.

Aquinas, inheriting the then prevailing Platonic-Augustinian tradition, advances through the Aristotelian path in order to explain the reality of God, the world and soul. Aquinas could achieve a synthesis of Christian theology in the light of classical philosophy. He reworked all the speculative and practical philosophies of his predecessors and, thus, gave

birth to a coherent Christian theology. Aquinas' thought is existence-centred and his philosophy reason-oriented.

Madhvāchārya, while inheriting the Vedānta-Vaiṣṇava traditions, violently opposed the monistic tenets of Saṅkara, and fought strenuously to disprove the latter's advaitic doctrine. For him the sacred texts do not advocate *Māyavāda*; on the contrary, their essence and purport is realistic theism. The Dvaita-Vedānta of Madhva has its philosophical basis in the *Prastāna-traya*, the three authoritative texts: the *Upaniṣads*, the *Bhagavat-Gīta* and the *Vedānta-Sūtras*. Like all other systems of Indian philosophy, the religious experience is in no way inconsistent or contradictory to philosophy. Hence, the essence-centred philosophy of Madhva is *Śruti*-oriented, a revelation which is eternal and non-personal.

Origin and Destiny begins with an in-depth and exhaustive study about the various aspects of the Epistemological and Metaphysical bases of the philosophy of St. Thomas and Madhva. Both Aquinas and Madhva held realistic theory of knowledge and upheld the possibility of metaphysical knowledge. Basing on the metaphysical and epistemological foundations of St. Thomas and Madhva, the author proceeds to analyse the reality of God and his relation to the world and human beings in their respective philosophies. For St. Thomas and Madhva, God's existence is identical with his essence. Human mind has the potentiality to know the existence of God and is capable of ascending to God. While the enquiry of St. Thomas into God's existence is reason-oriented, that of Madhva is *Śruti*-oriented.

God is the creator and preserver of the world; he is the only independent being; the souls and the world are dependent upon him. God is the ultimate cause of the creation: as the world is purposeful and ordered, a being endowed with consciousness must create it. At the same time, both the thinkers put forward very solid arguments to refute pantheism and monism.

While Aquinas advocates a "creation out of nothing," for Madhva, it is an accidental change of the material cause which depends upon the will of Viṣṇu. Creation is a free act of God: for Madhva, God creates and annihilates the world just as a play (*līlā*); according to Aquinas, the purpose of creation is communication of God's goodness to creatures.

Human being occupies a very significant position in God's creation. Human being is the immediate goal of creation. The human soul, its nature and destiny are central to the philosophy of both Aquinas and Madhva. Soul is that which animates the body, and the body exists on account of the soul whereas the soul does not exist by the body. God is the ultimate end of human life and human being can attain this happiness only through the divine grace. This ultimate goal of life, the perfect happiness consists in the supernatural vision, in the beatific vision of God. In the concluding section, the author makes an enquiry into the possibility of the influence of Christianity and Islam in the religious and philosophical thought of Madhva.

Though there are areas of divergence in the conception of God, world and human beings in the philosophies of Aquinas and Madhva, the fields of convergence overtake them. What is St. Thomas to Christianity, it is Madhva to the Vedānta-Vaiṣṇava thought. They were great philosophers, saints, mystics and, all the more, great innovators. *Origin and Destiny* of Dominic Charles Vas, thus, opens before us the tremendous treasure of the wisdom that is contained in these saintly thinkers, St. Thomas and Śri Madhvāchārya. His scientific and exhaustive work will certainly enable the sincere reader to become more enlightened and enriched about the true nature of God, the world and human beings in the light of the innovative thoughts of St. Thomas Aquinas and Śri Madhvāchārya.

Wilson Edattukaran

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